the weekly
Standard

JUNE 3, 1996 $2.95

Why, Despite Everything, Republicans Should Not Abandon the Arts

by Joseph Epstein

Appeasing China for No Good Reason
ROBERT KAGAN

David Kessler, Washington Hustler
MATTHEW REES

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Stuart Davis, *New York-Paris #1*, 1931. Oil on canvas. University of Iowa, Museum of Art.

They Made the Twenties Roar

Americans in Paris:
Man Ray, Gerald Murphy, Stuart Davis, Alexander Calder

The end of World War I brought with it jazz, the machine age, and bargain 3rd class steamship passages to Paris. Among the many artists who took advantage of a new home in which to explore non-traditional artistic approaches were four who truly developed a new way of seeing that transcended the traditional definition of an art form. With Calder's lively sculptures and Man Ray's visionary photographs, Murphy's enormous paintings of machine age wonders and Davis' rhythm-filled paintings and lithographs, the boundaries between abstraction and representation were being redrawn. The 100 paintings, photographs, lithographs, sculptures and films in the exhibition Americans in Paris, at The Phillips Collection are a most fitting way to begin the 75th anniversary celebration of America's first museum of modern art.

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Alter Bad Boy

Playing "gotcha" at the slightest sign of hypocrisy is a game for journalism's cheap shot artists. Nonetheless, the case of *Newsweek*'s Jonathan Alter deserves special mention. Last week, in a piece on *Newsweek*'s role in the suicide of Adm. Jeremy Boorda, Alter gave his magazine and his profession a bye. "No matter what we resolve," he said, "we journalists can't guarantee that tragedies won't happen." Oh? So why didn't he think of that back in 1993, following the suicide of Clinton White House aide Vincent Foster? You may recall that Foster had scribbled "WSJ editors lie without consequence" in the days before he killed himself—referring to the *Wall Street Journal* editorial page and its pursuit of information about Whitewater and Travelgate. Alter went into apoplexy, implicating the *Wall Street Journal* with this sentence: "If Robert Bartley, the *Journal*'s editor, hasn't been sleeping fitfully, he's even less of a human being than his worst enemies imagine." If Alter doesn't apologize to Bartley now for changing his tune when it comes to his own bosses and place of employ, he will prove less of a human being himself.

Let's Close That Gap!

A couple of weeks ago, having plumbed the depths of our own ideas, we asked readers to suggest how Bob Dole might close the yawning gender gap that threatens to swallow his campaign for president. The flood of responses to our Let's Close That Gap! contest, we're happy to report, has far exceeded our expectations.

Marguerite Snow of Stockton, Calif., says the Dole campaign should stress fear in its pitch to women: "Show aged heart-attack victims being turned away from emergency rooms because Medicare is broke. Give us cancer victims being told they can't have their pain medicine because the trust fund can no long cover prescriptions. Wind up with a funeral with grieving friends." Jerome Reppa of Munster, Ind., recommends Dole take the opposite tack and promise every full-time mother in America a $10,000 tax credit for each child she raises.

Attracting female voters, says Karl Lofquist of Bethesda, Md., "all depends upon Dole's close resemblance to Humphrey Bogart." Lofquist suggests a television spot that opens this way: "A morose Dole sits brooding over a shot glass of milk. He grumbles, 'Play it, Sam.' A reluctant Sam then breaks into 'God Bless America.' The door opens and in walks a beautiful Miss Liberty. . . . Cut. It's a natural." And indeed it is. Memo to Mark Helprin.

Laura Fletcher Donoho of Fairfax, Va., a self-described "Bob fan," says Dole's advisers should simply let "Bob be Bob." Which is not surprising advice coming from Mrs. Donoho, who boasts she never met a Bob she didn't like: "My father's a Bob, my brother's a Bob, my husband's a Bob, my sister married a Bob, I have two cousins named Bob, I work for a Bob. I even had a Bobcat when I was a kid." Hail Bob.

While all the entries were worthy, the prize goes to Mary Lane of Washington, D.C., who says Dole should take the empathy route to appeal to female voters. For starters, says Ms. Lane, Dole "must shave his legs and wear pantyhose so he can identify with the daily inconveniences and rituals of the American female." Next, "he must buy bags of Baked Lays and remark on how great it is that they only have 550 calories for the whole bag." Finally, she adds, Bob Dole "must ask the American people if he looks fat." Fine suggestions all, and we urge the Dole camp to take note. Unfortunately, Mary Lane may have to forfeit the prize we originally promised, an opportunity to be the new Mary Matalin. As it happens, the present Mary Matalin has not yet agreed to cooperate. We'll keep you posted.

Free and Pub . . .

Rod Grams of Minnesota scored a rare twofer last week. The freshman Republican senator first took a swipe at President Clinton in a splashy article the *Washington Post* led its op-ed page with. The *Post* then piled on with an unsigned editorial two days later, taking the Republican's side against Clinton. What issue sparked this unprecedented alignment of the *Post*'s editorial page and a Republican senator against the White House? Grams wants Clinton to reopen Pennsylvania Ave. in front of the White House. A major artery for local commuters, the street was closed to traffic by the president in the aftermath of the Oklahoma City bombing last year, creating perpetual rush-hour gridlock in downtown D.C., besides being a concession to terrorism and all that.

The White House has taken great pains to defend the closure in all possible terms except the personal safety of Clinton himself. In a letter to Grams, White House legislative director John Hilley described the barricading of

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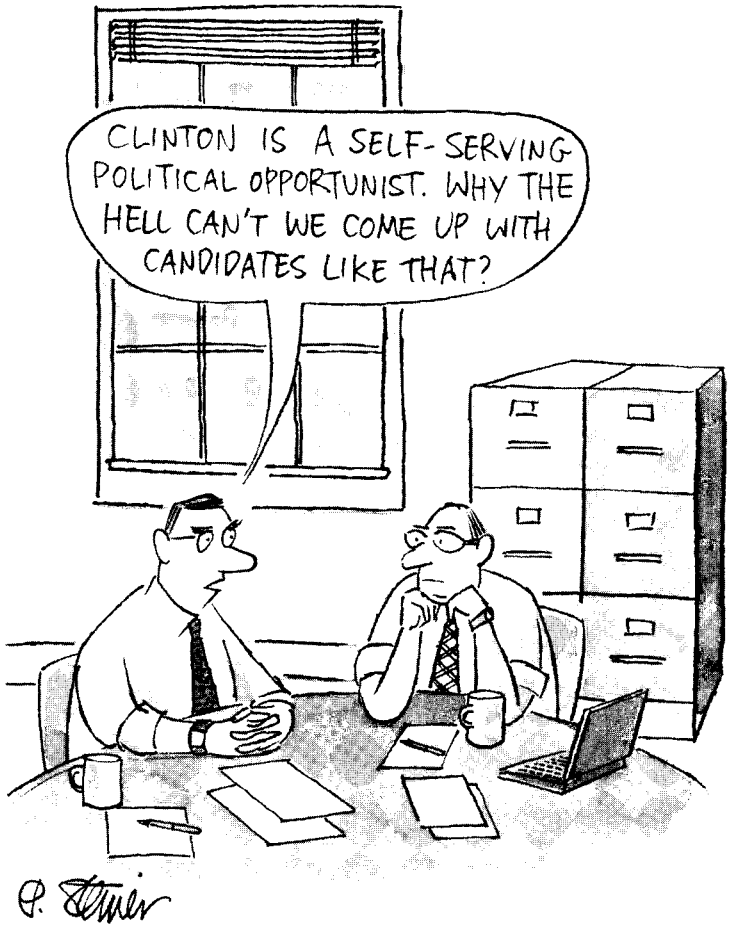

Pennsylvania Ave. as "a practical step to preserve the freedom and peace of mind of all Americans." Fear not, said Hilley: There will still be "free and pubic tours of the White House." Take a look at the word in the last sentence that begins with "p." Mr. Hilley seems to have left a letter out of that word. We promise not to crack wise about the typo but wonder where, exactly, in the White House such tours might take place, and at what time of day (or night).

Me-Tooing Themselves To Death

Some White House aides, only recently reveling in their president's amazing recovery in the polls, are starting to get worried that the president's daily "inoculation" against Republican attack by stealing Republican talking points is going to backfire. They fear the policy appropriation that is already being called "me-too-ism" around Washington has the potential to boomerang on Clinton. The president's semi-hemi-demi-endorsement of the Wisconsin welfare plan devised by Gov. Tommy Thompson (with a big hand from the Hudson Institute, the think tank based in Indianapolis) took many of them aback. "We can't really accept this," one aide said, and pointed out that Mary Jo Bane, the official at the Department of Health and Human Services in charge of welfare policy, is a leading critic of de-entitlement—the act of cutting welfare recipients off.

This is where the talk really departs from the policy. The president may say he's bent on bringing welfare reform quickly to America by waiving federal regulations in state after state—but his administration isn't. Take California's experience with waivers. "It hasn't been good," says state welfare director Eloise Anderson. "There's a real disconnect between what the president says and what the administration does." While Clinton boasts he'll approve waivers he doesn't agree with, Bane and Shalala take a different view. California wanted to cut off cash payments to unmarried teenage moms. And though Clinton had told NBC this would curb illegitimacy, Bane and Shalala frowned on the idea. Waiver denied. Even when they approve a waiver it's often only after a laborious process. California has had two requests pending for 545 and 785 days respectively. And there's a catch even with approved waivers: They're time-limited, meaning the old system is automatically restored.

Equal Discrimination

Be careful what you wish for, it's said, because you might get it. That must be the thinking of civil-rights activists after a May 16 district-court ruling handed down in Memphis. A white male named Joseph Ray Terry was awarded $150,000 in damages and back pay after a judge ruled that he had been discriminated against by none other than the Equal Employment Opportunity Commission—the federal agency charged with investigating workplace discrimination. It seems Terry, a Louisiana-trained lawyer, applied in 1984 to be a district director, but in the years that followed he was repeatedly passed over in favor of blacks—one of whom did not even possess a high school diploma. As part of the settlement, Terry will also now be granted his district-director position at the EEOC. Let's hope his experience sensitizes him and his colleagues to what qualifies as genuine discrimination.

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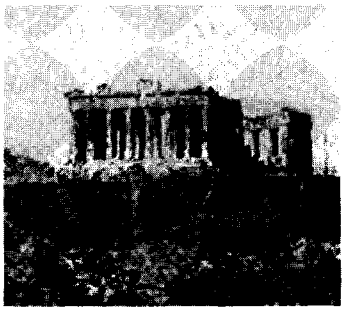
Casual

Time for My First Declension

If you received a poor education, there are a couple of things you can do: You can gripe about it for years afterward; or you can set out to rectify the situation. I had the misfortune to go to school just as the New Left was solidifying its grip on American education—primary, secondary, and collegiate. This was fine for knowing that Crispus Attucks won the Revolutionary War single-handed and that Ida Tarbell saved the country from Standard Oil. And it was terrific for knowing all about Japanese internment and McCarthyism, the two central facts of the 20th century.



But it was lousy for most everything else, which is why, in adulthood, I occasionally try to make up for it. I like to haunt used bookstores now and then, to see whether I can acquaint myself with some of the knowledge that grimy farm children were granted as a matter of course a hundred years ago. Have you ever looked at a McGuffey Reader? These volumes fairly shimmer with high learning, and they don't make you wait for doctoral studies in Italian to show you a Petrarch sonnet.

Of the gaps in my education, the one that bothers me most acutely is that concerning antiquity. This inadequacy I feel with great force when in the company of my polymath grandmother, the once-and-forever valedictorian. To her, not knowing Greek and Latin is akin to not knowing how to tie your shoes. Not long ago, I was perusing her bookshelves when I lit on a small, worn volume titled *The Elements of Greek*. I figured I should give it a whirl, because, you know . . . better late than never.

The book was published in 1902 and authored by one Francis Kingsley Ball, Ph.D., "instructor in Greek and German in the Phillips Exeter Academy." Gracing the frontispiece is a serene picture of the Acropolis. Dr. Ball begins his preface with the lament that "Greek is not studied as much as it ought to be" and asks, "Are not the treasures of Greek literature richly worth the finding? May not these treasures be brought within the reach of the average boy or girl?"

That's about all of the preface I understand, however, because it quickly moves to a discussion of declension, oxytones, penults, mute verbs, liquid verbs, aorist systems, and the Anabasis. I look again at the picture of the Acropolis. Next I flip to the introduction, which opens with the reassuringly cornball sentence, "Hellas, the sunny home of the Greeks . . . ," and ends with the truism that "the study of language is the study of life, and the study of life is the learning of truth."

Thus ennobled, I proceed to Lesson One: the alphabet. The first letter is just like our *A*, so I'm cruising. The second letter is *B*—no sweat. Now the letters get a little funky, so that when I reach Omega, I'm dizzy. But I copy them out, much as Laura Ingalls and her schoolmates might have done on their slates. I'm not yet ready for Euripides in the original (which falsely implies that I'm ready for Euripides in modern English translation), but it's a start.

After a briefing on vowels (short, long, and—get this—"doubtful") and a dance with diphthongs (involving "smooth breathing" and "rough breathing"), it's time for my First Declension, which I celebrate as a kind of rite. I don't celebrate for long, though, because I can't understand the words. Not the Greek, the English ones, like "nominative," "genitive," "dative," "accusative," and "vocative," to say nothing of "proparoxytone feminine nouns." I've barely learned to gurgle in this tongue, and already I'm being asked to recognize Greek sentences meaning "There was a rout of the Persian guards" and "Cowardly was the flight of the garrison." Remember: All of this is intended for "the average boy or girl," which prompts the question, Just how capable were they in 1902? Because these lessons are stupefyingly difficult, requiring enormous discipline, will, and perseverance. If Dr. Ball's little primer were placed before typical college students of today, they would either laugh or rebel. Attic Greek is the province of the brainy and strange, not of the multitudes, who seem content with their gruel.

So, I've suspended my latest foray into self-education (and "suspended" is to be polite). I admit that I'm hazy on the subjects that preoccupied Gibbon, Jefferson, and a billion less famous others. But if you'd like to know about Joe McCarthy and that slithery Roy Cohn, just ask.

Jay Nordlinger

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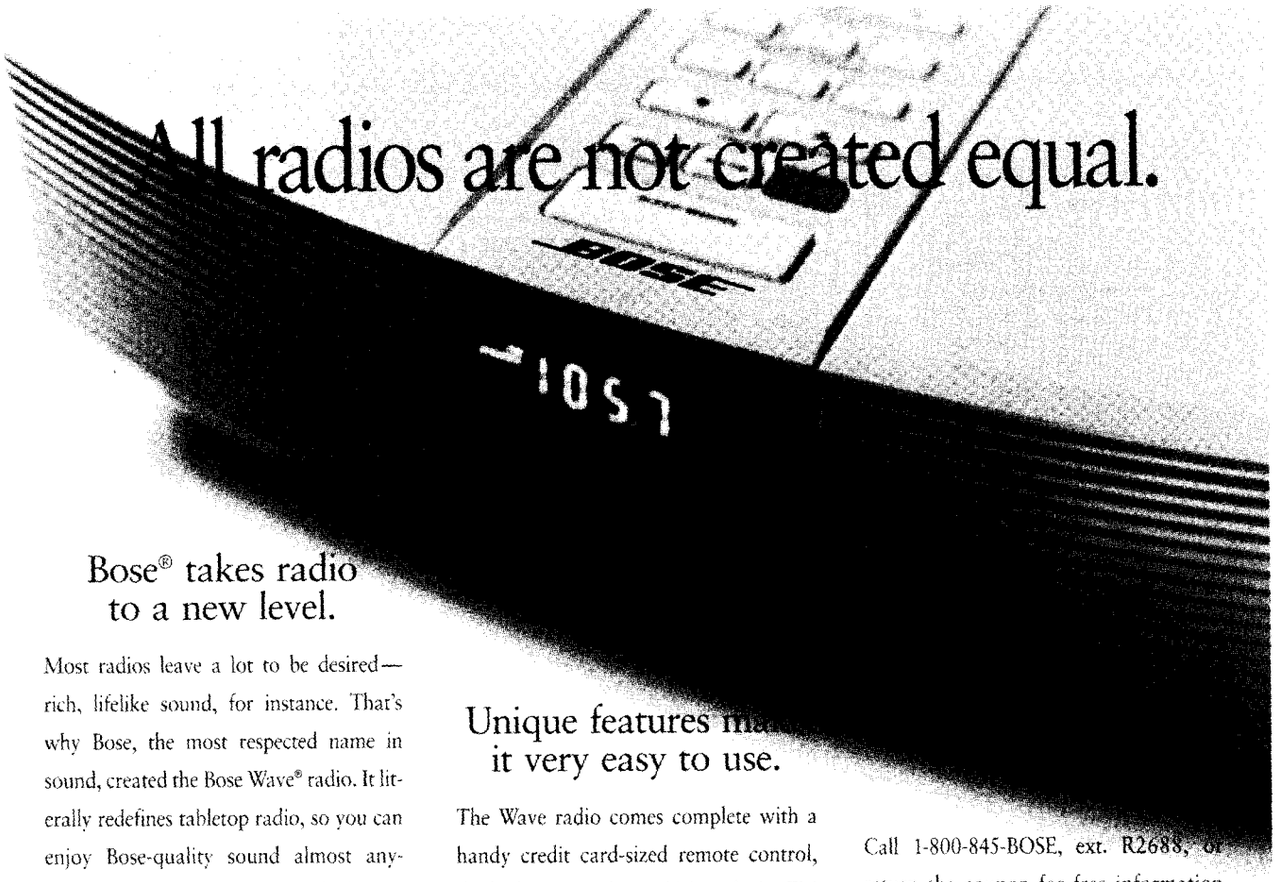

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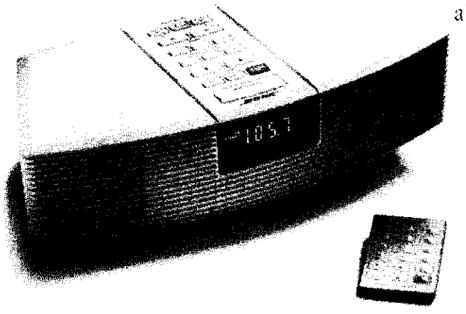

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Self-Important, Suffering Senators

Andrew Ferguson's piece about self-righteous ex-senators rings true ("Foolish Senators, Tough Choices," May 20). Several months ago I had the misfortune to hear an NPR interview with Sen. Bill Bradley. As the interviewer listened breathlessly, Bradley droned on, lamenting a political process in which the great unwashed won't sit still for all of his policy "solutions." Even when this man was king of New York, with the quickest outside jump shot in the NBA, he was never so thuddingly self-important.

The interview reminded me of a maxim: Whenever you hear people advertising themselves as being beyond Left and Right, know that they are of the Left. To make it worse, they actually think they've invented something.

MARK ZASLAV
OAKLAND, CA

Dole's Gender Trap

Danielle Crittenden's criticism of Bob Dole's support of the Violence Against Women Act ("Dole's Gender Trap," May 20) ignores the fundamental purposes of the act: to strengthen federal penalties for interstate domestic violence and to provide resources to state governments (not feminist groups) for prosecutors, police, and victim services.

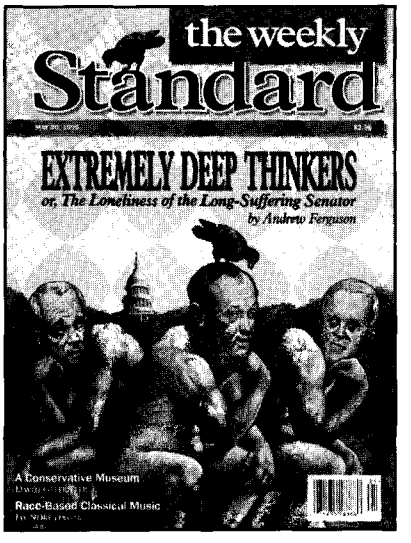
The act makes it a federal crime to cross state lines to perpetrate abuse; creates a national domestic-violence hotline; and requires states to enforce protective orders issued in other states. It gives victims the right of mandatory restitution and the right to address the court at the time of sentencing.

Clinton, Dole, and strong bipartisan majorities in both houses of Congress supported this legislation. Contrary to Crittenden's assertions, they did so for good reasons. The Violence Against Women Act provides states with crucial resources and ensures that offenders will more likely be arrested, prosecuted, convicted, and jailed.

BONNIE J. CAMPBELL
DIRECTOR, VIOLENCE AGAINST WOMEN
U.S. DEPARTMENT OF JUSTICE
WASHINGTON, DC

I was astounded at the rationale expressed in Danielle Crittenden's article. In a single paragraph she lauds Dole—"compared to his opponent he is manly, decent, honorable, a respectful and faithful husband, and a war hero"—then faults him for lack of conviction and vision. I submit that all of these characteristics prove his outstanding conviction.

Crittenden expands her disagreement with Dole on one piece of legislation into a broad statement that he



doesn't understand "the consensus of his constituency—male and female." That's an unreasonable stretch.

WILLIAM LONGMUIR
OCALA, FL

Bartlett on Smut Patrol

Apparently, THE WEEKLY STANDARD believes that Americans in general and women in particular would want the federal government to continue to subsidize the distribution of sexually explicit material at Defense Department facilities with their tax dollars. That is the only conclusion I can draw from your incredibly flippant coverage of my amendment to the National Defense Authorization bill ("A Well-Oiled Amendment," Scrapbook, May 20).

My amendment to end this shameful and wasteful abuse of taxpayers' money was approved without a single opposing vote by the House National Security Committee and without opposition by the entire House. The fact that not a single member of Congress would stand up to even request a vote on this amendment is prima facie evidence of its political resonance with the American people, if not with the Scrapbook staff.

ROSCOE G. BARTLETT
MEMBER OF CONGRESS
WASHINGTON, DC

Music's Universal Notes

Of all the articles appearing in THE WEEKLY STANDARD that have chronicled the excesses of political correctness and cultural diversity, none has left me more dispirited than Jay Nordlinger's "Race Notes" (May 20).

Having experienced the pure joy of making music with people of all races, I can think of no human endeavor where race is more irrelevant than music. When I listen to André Watts play a Mozart piano concerto, I do not listen with the aim of seeing whether a black man can capture the subtleties of what some would have us believe is the sole province of white Europeans.

When Eric Clapton plays the blues, is his music invalidated because the blues are somehow only part of the "black experience"? And what of Yo-Yo Ma? Could his Confucian roots be any farther away from the Baroque compositions of Bach?

Music is free to anyone who wants to play or listen to it. It is tragic that we have allowed our minds to become imprisoned behind the bars of cultural and racial stereotypes, thus providing the grist for the diversity crowd's mill. "What fools these mortals be."

ARTHUR M. SHATZ
BAYSIDE, NY

Wrestling with Clinton

While THE WEEKLY STANDARD's staff knows a great deal about a great many things, they need to spend more time watching professional wrestling (Parody, May 20). Your parodist has Dick Morris calling for President Clinton to "Attend World Wrestling Federation championship match between Randy 'The Hit Man' Savage and The Blonde Avenger."

Randy Savage is not "The Hit Man."

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His nickname is "Macho Man." Bret Hart is "The Hit Man." Savage is no longer a member of the World Wrestling Federation. His employer is World Championship Wrestling.

MARTIN MORSE WOOSTER
SILVER SPRING, MD

TAKE ME OUT FOR THE ANTHEM

Christopher Caldwell has obviously not been to a New York Yankees game this season ("Oh Say, Can You Cease?" May 20). I've been to Yankee Stadium three times so far this year, and each time the Yankee organization has treated fans to an excellent rendition of "The Star-Spangled Banner."

Local and national performers sing—clearly and beautifully—to respectful fans. Players and fans remove their caps, and stadium workers stop hurling peanuts and hawking Cracker Jack. We face the flag and sing the words. I find it very emotional.

Perhaps the problem Caldwell describes is another instance of Washington's disconnect from the real world. While all he can focus on is the anthem at the beginning, the tunes between innings, and cues on the scoreboard, we regular folk are just watching the game.

ADAM L. LEADER
NEW YORK, NY

Christopher Caldwell writes, "The national anthem almost invariably stinks. . . . The first franchise that decides to drop the anthem altogether will be doing everyone a favor."

Whoa, has Caldwell no soul? Your beef is with the Orioles, or the O's turkey who brought in the grungeball Edwin McCain to sing the national anthem. It's not that way everywhere. Come with me to Yankee Stadium almost any weekend. There George Steinbrenner presents Robert Merrill singing the national anthem.

WILL TOMLINSON
LAKEVILLE, CT

LEAVE MSAS FOR LATER

With respect to Fred Barnes's article "Kennedy-Kassebomb" (May 13), Medical Savings Accounts have been polarizing Congress over an issue that should have nothing to do with Kennedy-Kassebaum and its ultimate goal: to mandate portability of health insurance.

MSAs were originally designed to help people save money (similar to IRAs) for future health care. The current MSA proposal will encourage lower-paid employees, who are typically covered by first-dollar HMO plans, to opt out of the system. To discourage participation in health insurance is to invite a system in which uncovered employees in auto accidents end up in hospitals, with their costs shifted to the insured population.

MSAs should not be tied to this bill. The real story is that guaranteed access to health insurance automatically will lower the cost of health care. The more people covered, the lower the risk. It's Insurance 101. Guarantee access and you will save the private system.

JEFFREY R. MILES
LOS ANGELES, CA

FAIR PLAY FOR THE SKINNY KIDS

Richard Starr has been away from the flat lands too long ("The Final Score Is: Indiana 0, Indiana 0," May 13). Class basketball is the right thing to do. It is not about a self-esteem-fest; it is about competition.

Football in Indiana is in the class system. The average offensive lineman at Ben Davis High School (3,000 students) is 6'3", 250 pounds. The average offensive lineman at Milan is 5'11", 180 pounds. Needless to say, these two teams do not meet in the tournament. The same scenario will apply for basketball and the other sports that will be divided into the class system in 1997.

Vincennes is the largest town in the area. We have an incredible basketball tradition. This school has not lost a sectional in 20 years. Every year we have to go through the motions of playing the teams in the area during the sectional. Some of these games have been almost painful to watch. I certainly would not call it competition.

With the consolidation of many high schools it is impossible for the small schools to compete. The physical talent pool in a school of 3,000 is always going to be better than that of a school with 300. If you are still unsure, please come visit. Watch our baseball team play the area parochial school. This year we won 58-1. It was great!

Come tournament time, I think it is more exciting to face a team that you have a chance to beat than to face a team with no doubts. The 1997 sectional will be more exciting than it has been in 20 years. I'll be happy to save you a seat.

TINA OSTING HIDDE
VINCENNES, IN

CHILDREN SHOULDN'T FLY

Thank you for Wendy Shalit's article "The Death of Girlhood" (April 29). The so-called feminist support of Jessica's flight made me recall an event at my school that was presented by the Multi-Cultural Students Union.

First, all but one member of the group was African American. Second, presenters read poems and speeches from civil rights leaders that praised African Americans but criticized whites. Though I was sympathetic to the idea of a multicultural group, I felt like the group was preaching exclusivity, not diversity.

Among my friends, race or religion is not really a factor. Feminism remains an issue. It is still mostly boys who have to ask girls to the dance or boys who have to be protective of a girl they are going out with. But feminism does not mean, in my opinion, taking a risk not worth taking.

Flying at age seven is beyond a risk, it's just stupid. Flying is challenging for experienced older pilots, never mind a seven-year-old who can't reach some levers and pedals. Even if the pilot were male and seven years old it would be just as stupid.

SETH B. ZUCKERMAN, AGE 12
PHILADELPHIA, PA

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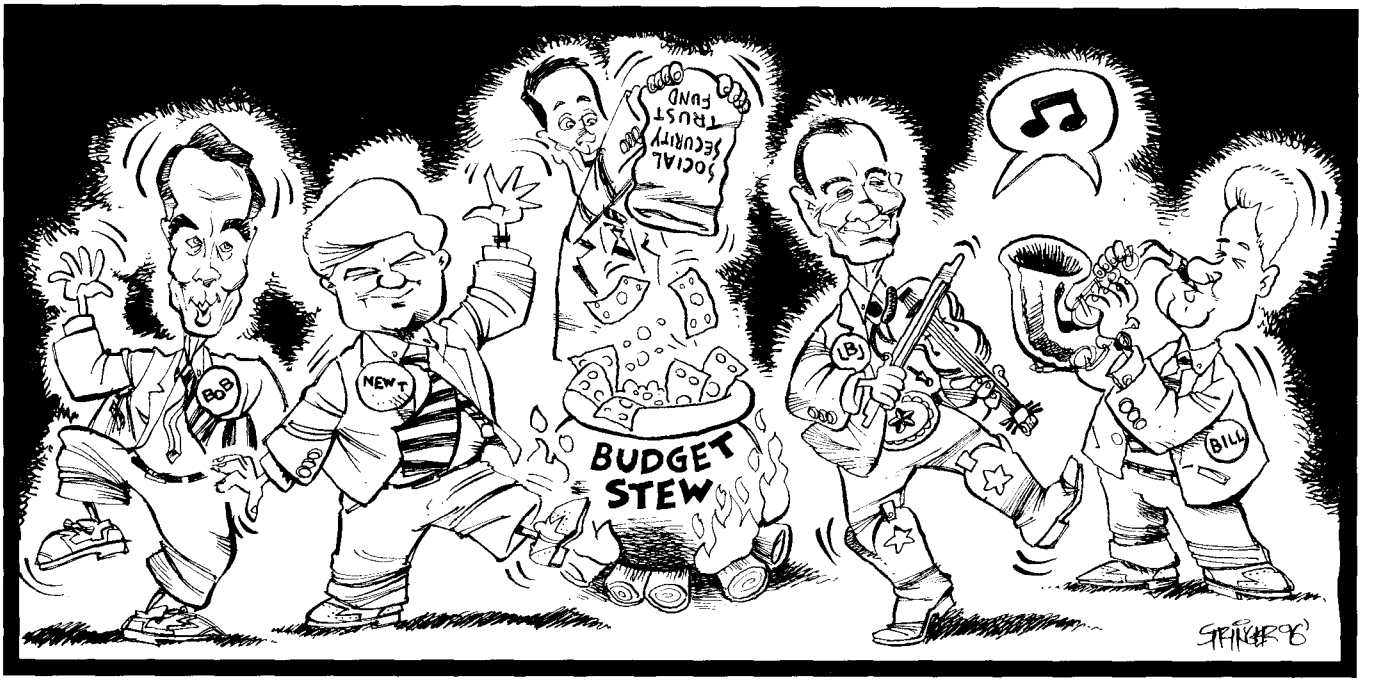

Today's leaders dance to LBJ's tune as America's trust funds boil away.

With all this talk about tax reform and generous deductions for the poor, Congress is not being honest with the American people. The truth is nearly 40 percent of Americans are "exempted" from income tax, despite all the hot air from Washington crying for their protection. This hot air is cause enough for global warning; it certainly prevents honest tax relief. The real burden for this group, no matter the size of their income, is the Social Security payroll tax. No generous deductions here. Neither raising income taxes on the rich nor moving to a flat tax will do anything to provide *payroll* tax relief for the working poor.

LBJ still calls the tune.

To hide the cost of the Viet Nam war, LBJ pooled all our independent trust funds into one giant pot. Because a stew obscures its exact ingredients, this *budget* stew became the *tax-raising* tool of choice for government, without ever using those dirty words. Over the past 10 years, payroll tax rates are up by more than 50 percent with revenues more than doubled, yet the trust funds are on the verge of bankruptcy again. Recent government shutdowns illustrate how the treasury can take money from one "trust" fund and transfer it to another with impunity. Such activity would be criminal in the corporate world, but not in Washington.

Trust fund reform is the right wine for a tax reform entrée.

Let's face it. If you are under 55, you have a greater chance of being abducted by aliens than ever seeing your first Social Security check, under today's terms and conditions. As long as all the trust funds can be commingled at will, for political purposes, our future will not have the comfort our parents enjoy. All that awaits our children are historical footnotes of the foolish plan for a Great Society. Trust fund reform and tax reform are solutions that go hand-in-hand. Neither will succeed without the other.

The Social Security Ponzi scheme must stop now.

Our politicians are still dancing to LBJ's tune. Few have the guts to risk their career today for the future of our children. All trust funds must be taken off budget and the funds invested for real growth and savings as they are in other nations. As long as everything remains in one pot, payroll taxes will continue to rise to reduce the appearance of the deficit. We have laws against Ponzi schemes in the private sector. Maybe it's time the same laws are applied to our politicians.

For more information on the Princeton Proposal, contact:

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the weekly Standard

JUSTICE SCALIA DISSENTS

On May 20, a 6-3 majority of the Supreme Court struck down a provision of Colorado's state constitution, Amendment 2, involving "homosexual, lesbian or bisexual orientation, conduct, practices or relationships." The provision said homosexuality could not form the legal basis in Colorado for "minority status, quota preferences, protected status, or claim of discrimination."

Justice Anthony Kennedy, writing for the majority, found the law "inexplicable by anything but animus toward the class that it affects" and impermissible under the equal protection clause of the federal Constitution. David Frum takes up the Kennedy opinion in an article beginning on page 11. Justice Antonin Scalia, in a dissent joined by Justices Rehnquist and Thomas, offers a stinging critique of the questionable and dangerous logic in Romer *v.* Evans. *We excerpt the Scalia dissent below.*

The Court has mistaken a Kulturkampf for a fit of spite. The constitutional amendment before us here is not the manifestation of a "'bare . . . desire to harm'" homosexuals, but is rather a modest attempt by seemingly tolerant Coloradans to preserve traditional sexual mores against the efforts of a politically powerful minority to revise those mores through use of the laws. That objective, and the means chosen to achieve it, are not only unimpeachable under any constitutional doctrine hitherto pronounced (hence the opinion's heavy reliance upon principles of righteousness rather than judicial holdings); they have been specifically approved by the Congress of the United States and by this Court.

In holding that homosexuality cannot be singled out for disfavorable treatment, the Court . . . places the prestige of this institution behind the proposition that opposition to homosexuality is as reprehensible as racial or religious bias. Whether it is or not is *precisely* the cultural debate that gave rise to the Colorado constitutional amendment (and to the preferential laws against which the amendment was directed). Since the Constitution of the United States says nothing about this subject, it is left to be resolved by normal democratic means, including the democratic adoption of provisions in state constitutions. This Court has no business imposing upon all Americans the resolution favored by the elite class from which the Members of this institution are selected, pronouncing that "animosity" toward homosexuality is evil. . . .

The amendment prohibits *special treatment* of homosexuals, and nothing more. . . .

Despite all of its hand-wringing about the potential effect of Amendment 2 on general antidiscrimination laws, the Court's opinion ultimately does not dispute all this, but assumes it to be true. The only denial of equal treatment it contends homosexuals have suffered is this: They may not obtain *preferential* treatment without amending the state constitution. That is to say, the principle underlying the Court's opinion is that one who is accorded equal treatment under the laws, but cannot as readily as others obtain *preferential* treatment under the laws, has been denied equal protection of the laws. If merely stating this alleged "equal protection" violation does not suffice to refute it, our constitutional jurisprudence has achieved terminal silliness. . . .

I turn next to whether there was a legitimate rational basis for the substance of the constitutional amendment—for the prohibition of special protection for homosexuals. It is unsurprising that the Court avoids discussion of this question, since the answer is so obviously yes. The case most relevant to the issue before us today is not even mentioned in the Court's opinion: In *Bowers* v. *Hardwick* (1986) we held that the Constitution does not prohibit what virtually all States had done from the founding of the Republic until very recent years—making homosexual conduct a crime. That holding is unassailable, except by those who think that the Constitution changes to suit current fashions. . . . If it is constitutionally permissible for a State to make homosexual conduct criminal, surely it is constitutionally permissible for a State to enact other laws merely *disfavoring* homosexual conduct. . . . [And] it is constitutionally permissible for a State to adopt a provision *not even* disfavoring homosexual conduct, but merely prohibiting all levels of state government from bestowing *special protections* upon homosexual conduct. . . .

No principle set forth in the Constitution, nor even any imagined by this Court in the past 200 years, prohibits what Colorado has done here. But the case for Colorado is much stronger than that. What it has done is not only unprohibited, but eminently reasonable, with close, congressionally approved precedent in earlier constitutional practice.

First, as to its eminent reasonableness. The Court's opinion contains grim, disapproving hints that Coloradans have been guilty of "animus" or "animosity" toward homosexuality, as though that has been estab-

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lished as un-American. Of course it is our moral heritage that one should not hate any human being or class of human beings. But I had thought that one could consider certain conduct reprehensible—murder, for example, or polygamy, or cruelty to animals—and could exhibit even "animus" toward such conduct. Surely that is the only sort of "animus" at issue here: moral disapproval of homosexual conduct, the same sort of moral disapproval that produced the centuries-old criminal laws that we held constitutional in *Bowers*. . . .

There is a problem, however, which arises when criminal sanction of homosexuality is eliminated but moral and social disapprobation of homosexuality is meant to be retained. The Court cannot be unaware of that problem; it is evident in . . . heated political disputes over such matters as the introduction into local schools of books teaching that homosexuality is an optional and fully acceptable "alternate life style." The problem . . . is that, because those who engage in homosexual conduct tend to reside in disproportionate numbers in certain communities, have high disposable income, and of course care about homosexual-rights issues much more ardently than the public at large, they possess political power much greater than their numbers, both locally and statewide. Quite understandably, they devote this political power to achieving not merely a grudging social toleration, but full social acceptance, of homosexuality. . . .

I do not mean to be critical of these legislative successes; homosexuals are as entitled to use the legal system for reinforcement of their moral sentiments as are the rest of society. But they are subject to being countered by lawful, democratic countermeasures as well.

That is where Amendment 2 came in. It sought to counter both the geographic concentration and the disproportionate political power of homosexuals by (1) resolving the controversy at the statewide level, and (2) making the election a single-issue contest for both sides. It put directly, to all the citizens of the State, the question: Should homosexuality be given special protection? They answered no. The Court today asserts that this most democratic of procedures is unconstitutional. . . .

The constitutions of the States of Arizona, Idaho, New Mexico, Oklahoma, and Utah *to this day* contain provisions stating that polygamy is "forever prohibited." Polygamists, and those who have a polygamous "orientation," have been "singled out" by these provisions for much more severe treatment than merely denial of favored status; and that treatment can only be changed by achieving amendment of the state constitutions. The Court's disposition today suggests that these provisions are unconstitutional, and that polygamy must be permitted in these States on a state-legislated, or perhaps even local-option, basis—unless, of course, polygamists for some reason have fewer constitutional rights than homosexuals. . . .

Has the Court concluded that the perceived social harm of polygamy is a "legitimate concern of government," and the perceived social harm of homosexuality is not?

I strongly suspect that the answer to the last question is yes, which leads me to the last point I wish to make: The Court today, announcing that Amendment 2 "defies . . . conventional [constitutional] inquiry," and "confounds [the] normal process of judicial review," employs a constitutional theory heretofore unknown to frustrate Colorado's reasonable effort to preserve traditional American moral values. . . .

When the Court takes sides in the culture wars, it tends to be with the knights rather than the villeins—and more specifically with the Templars, reflecting the views and values of the lawyer class from which the Court's Members are drawn. How that class feels about homosexuality will be evident to anyone who wishes to interview job applicants at virtually any of the nation's law schools. The interviewer may refuse to offer a job because the applicant is a Republican; because he is an adulterer; because he went to the wrong prep school or belongs to the wrong country club; because he eats snails; because he is a womanizer; because she wears real-animal fur; or even because he hates the Chicago Cubs. But if the interviewer should wish not to be an associate or partner of an applicant because he disapproves of the applicant's homosexuality, *then* he will have violated the pledge which the Association of American Law Schools requires all its member-schools to exact from job interviewers: "assurance of the employer's willingness" to hire homosexuals. This law-school view of what "prejudices" must be stamped out may be contrasted with the more plebeian attitudes that apparently still prevail in the United States Congress, which has been unresponsive to repeated attempts to extend to homosexuals the protections of federal civil rights laws, and which took the pains to exclude them specifically from the Americans With Disabilities Act of 1990.

Today's opinion has no foundation in American constitutional law, and barely pretends to. The people of Colorado have adopted an entirely reasonable provision which does not even disfavor homosexuals in any substantive sense, but merely denies them preferential treatment. Amendment 2 is designed to prevent piecemeal deterioration of the sexual morality favored by a majority of Coloradans, and is not only an appropriate means to that legitimate end, but a means that Americans have employed before. Striking it down is an act, not of judicial judgment, but of political will.

—Antonin Scalia, for the Editors

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SUSPECT JURISPRUDENCE

by David Frum

WHATEVER ELSE IT ACCOMPLISHES, Justice Anthony Kennedy's opinion in the Colorado gay-rights case isn't going to win a niche in the Legal Reasoning Hall of Fame. In fact, the decision is so illogical one wonders whether it deserves to be called "reasoned" at all.

It would be bad enough if the weakness of Justice Kennedy's decision in *Romer* v. *Evans* could be blamed on the judge's intellectual shortcomings. The truth is even worse: It's not that the judge doesn't know enough about law, but that he knows too much about politics.

Despite what the newspapers say, the Colorado gay-rights law at issue in *Romer* in no way penalized or burdened homosexuals in the state of Colorado. Colorado legalized private consensual homosexual acts among adults in 1971, ahead of New York and California. Colorado homosexuals enjoy the same right to speak their minds, worship freely, own property, sign contracts, and bear arms as any other Coloradans. Beginning in the late 1970s, though, some Colorado towns—notably Aspen and Boulder—went further: They passed local ordinances forbidding their residents to discriminate on grounds of sexual orientation.

Anthony Kennedy

Michael Ramirez

Now, the normal rule in the United States is that citizens can do business—or refuse to do business—with anyone they please. If an automobile dealer believes that former athletes make the best car salesmen, he can hire himself a whole car lot full of them. If a landlady believes that prospective tenants who wear Nirvana T-shirts are likely to trash her premises, she can close the door in their faces. To this general rule, however, there are exceptions. You cannot refuse to deal with someone because of his or her race, religion, sex, age, or handicap.

The courts call these "suspect categories." People who feel unfairly treated because of their race, their sex, their age, or their handicap enjoy a remarkable privilege under American law: They can obtain redress when someone refuses to do business with them because of their identity. Theoretically the protections of anti-discrimination law are available to all members of the category: to whites as well as to blacks, to men as well as to women, to the middle-aged as well as the old. But as a practical matter, these laws mainly benefit racial minorities and women.

Unfortunately, race, sex, age, and handicap are not the only wellsprings of unfair treatment. Smokers, nonathletes, the short, the fat, the bald, people who don't happen to be relatives of the boss all often find themselves deprived of advantages that they might otherwise have obtained. They, however, must take their chances in the marketplace. We may condemn the employers who don't hire them; but we don't punish them.

Proposition 2, the amendment to the Colorado constitution ratified in 1992 by 53 percent of the voters in a statewide referendum, told Colorado's towns and state legislators that sexual orientation was to be treated in law like smoking and not race. Prop 2 did not say Coloradans could be punished for being gay; it said Coloradans could *not* be punished for disapproving of gays.

What Justice Kennedy wanted to do in *Romer* v. *Evans* was void Proposition 2 without declaring sexual orientation a "suspect category" under the Fourteenth Amendment. Such a declaration would have ignited a political firestorm—one that might have upended the 1996 elections and quite probably wobbled the authority of the Supreme Court itself. Kennedy needed instead to reach his radical result by a less dangerous route. But what could it be?

Kennedy got to his desired destination in two steps. His first problem was to prove that by refusing to punish anti-gay Coloradans, Colorado was treating homosexuals unequally. That problem was not a small one. To the naked eye, after all, it looks as if Proposition 2 treats Colorado's homosexuals the same as everybody else, except for those who happen to belong to suspect categories. If Anthony M. Kennedy lived in

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Colorado and a landlady refused to rent an apartment to him, he would have no recourse. That is exactly the situation most non-black, non-female Coloradans face, whether they be homosexual or heterosexual. How is it a denial of equal protection to refuse to grant a group the privilege of special scrutiny?

Kennedy solved this problem by pointing out that sexual orientation was the only status that the Colorado constitution specifically mentioned as not to be recognized as a suspect category: "The amendment has the peculiar property of imposing a broad and undifferentiated disability on a single named group, an exceptional and, as we shall explain, invalid form of legislation." But what if the state had named smokers, the short, the unathletic, and the bald as groups of people who likewise should not be recognized as belonging to suspect categories? Would that have been acceptable?

Or what if Prop 2 had not named homosexuals? What if it had said instead that the only suspect categories to be recognized under Colorado law were those specifically mentioned in the U.S. Civil Rights Act of 1964—and no others? Would it have been okay then?

Evidently not, but Kennedy's opinion refuses to explain very clearly why not. Instead, Kennedy pounds away at the claim that gay rights are "special rights." He contends that smokers, the short, the unathletic, and the bald don't need to be singled out for special protection because they all expect to be treated fairly in the marketplace. Perhaps they do. Perhaps they do not. In any case, an expectation is not the same thing as an enforceable right.

But even if one accepts Kennedy's claim that the refusal to grant special protection to Colorado's homosexuals amounts to an unequal treatment, the justice would still only be halfway to his goal. Colorado is permitted to treat all sorts of people unequally. It can tax the owners of apartment houses at a higher rate than the owners of single-family dwellings; it can impose a sales tax on the sale of goods but not on the provision of services; it can build a highway to one town but not another. Virtually every act of legislation treats some people differently from others. They can't all be unconstitutional.

To avoid potential chaos, modern American law has set three main ways that a state can fall foul of the Equal Protection clause. The first is by drawing distinctions between persons inside and outside a suspect category. Colorado didn't do that since sexual orientation does not yet constitute a suspect category.

The second way to violate the Equal Protection clause is by treating people differently in the exercise of a fundamental right. Colorado could not constitutionally enact a law that taxes newspapers friendly to its governor less onerously than newspapers that oppose him, because the underlying activity—publishing—is protected by the First Amendment. But the underlying activity in *Romer* v. *Evans* is not at all a fundamental right. To the contrary, the Supreme Court ruled in 1986 that a state may, if it wishes, outlaw homosexual acts altogether. (Kennedy dealt with this awkward precedent by the simple if inelegant stratagem of flatly ignoring the 1986 case, *Bowers* v. *Hardwick*, which upheld the constitutionality of Georgia's sodomy laws.)

That left only one last avenue for reaching the result Kennedy wanted. A state may not draw distinctions among its citizens, the case law says, if those distinctions are entirely irrational—that is, if they do not promote the attainment of some legitimate goal of public policy. That was the avenue Justice Kennedy took. He, along with Justices Breyer, Ginsburg, O'Connor, Souter, and Stevens, held that Proposition 2 was an act entirely without rational basis. And that, of course, is simply preposterous.

Colorado could, if it wanted to, outlaw homosexual acts entirely, in much the same way that it can outlaw marijuana smoking. Colorado has chosen not to use this power, just as the state of Alaska once chose not to proscribe the possession of small amounts of marijuana. Would any court argue that Alaska was acting "irrationally" by refusing to take the next step—by refusing to jump from legalizing marijuana to recognizing drug use as a suspect category? Is the Supreme Court really saying that states may rationally adopt only one of two policies toward homosexuality: either outright prohibition or else maximum legal protection?

Ironically enough, the initial effect of the *Romer* v. *Evans* decision is likely to be to discourage those states—24 in all, plus the District of Columbia—that still outlaw private, consensual homosexual acts between adults from repealing their sodomy laws, as they should. Had Colorado retained its antique ban on homosexual acts, it could have offered an easy rejoinder to Justice Kennedy when he queried the rationality of Proposition 2. Proposition 2, Colorado could have said, would help the state to suppress unlawful sexual conduct over which the Supreme Court granted it full authority barely a decade ago. What could be more rational than that?

In the end, *Romer* v. *Evans* is a bad judgment because it is a dishonest one. In the minds of six Supreme Court justices, sexual orientation is already something very close to a suspect category. They just don't dare say so. Instead, silently and stealthily, they will strike down local laws as if it were. And in doing so, they are proving that there is something worse than judicial arrogance: It's judicial arrogance disguised by judicial cowardice. ♦

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Dole's Time in the Sun

by Andrew Ferguson

Fond du Lac, Wisconsin

THE DAY AFTER BOB DOLE RESIGNED his Senate seat, he made his first post-resurrection campaign appearance, at a rally in Chicago. That evening in Washington I happened to be at a gathering of Republicans who could barely contain their delight. Conversations went like so:

"Did you see Dole in Chicago? It was terrific!"

Really? What did he say?

"He took off his tie! He looked great—relaxed, totally in command. An open-necked shirt!"

Great. What did he say?

"Oh, the usual. He looked great. He took off his tie!"

After the long, depressive slumber of spring, the removal of a tie was more than enough to launch a weary Dole supporter into rapture. But the worries resurfaced quickly—especially the worry that the candidate might find himself at last with the attention of American voters but nothing to say.

The weekend after the resignation, Dole said he looked forward to a series of speeches on the road: "I can go out and define who Bob Dole really is, what his ideas are and his agenda and his so-called vision for America." He delivered his first major address on Tuesday, May 21, before a group of business leaders in Fond du Lac, Wisconsin. The subject was welfare reform, and perhaps owing to its gravity he wore a tie. Fond du Lac is the site of one of Gov. Tommy Thompson's pilot programs to move welfare recipients off the rolls and into the job market, offering them subsidized child care and job training in the bargain.

It was a day trip, meaning Dole left Washington in the morning and returned by nightfall. Day trips are cheaper than overnighters—an important consideration for the cash-strapped campaign. They also guarantee a large turnout of reporters, who would much rather file a story in the afternoon and be home in time for cocktails. Dole's trip to Wisconsin was thus especially well covered by press hounds eager to see evidence of the transformed campaigner.

From last summer on, the beef against Dole the candidate has been comprehensive. Not only did he have nothing to say—no vision, so-called or otherwise—but he probably couldn't say it even if he did. His speeches during the primary were for the most part long, extemporaneous rambles, sometimes bordering on incoherence. His staff began furnishing him with "talking points," little outlines with turns of phrase and relevant bits of information meant to channel his improvisations into a coherent sequence. It didn't work. From one event to the next, he moved about in a bodyguard of elected officials, an advance guard of august fellow-senators, a cadre of commissioners to the rear. The symbolism was disastrous: Dole as the anointed candidate of the dread establishment, removed from the common folk—a government guy in an anti-government age.

When Dole's plane landed in Wisconsin, however, he descended the gangway in the company only of Tommy Thompson. He had lunch at the Brenner Tank Company in Fond du Lac, where several of the beneficiaries of Thompson's program are now employed. He mingled easily and ate the ham and cheese sandwiches without complaint. When a woman on the shop floor told him he "smelled nice," Dole replied: "It's good clean Republican aftershave."

Dole has always been good at working through a crowd one by one; he is genuinely witty and self-deprecating and at ease. It is in his public presentations that he can now prove himself to be a stronger, more disciplined campaigner, and if his speech in Fond du Lac is an indication, the transformation has begun. Dole's speech summarized his party's already-familiar ideas about welfare—an attack on the Great Society as "liberalism's greatest shame" and a call for wholesale devolution of power and money to the states, with federal encouragement for freewheeling experimentation. But the speech was spare and economical, alternately tough, sensitive, and on occasion funny. He had, in other words, something to say—a vision!—and he said it with some skill, and minimum clutter, as he had in his much-praised resignation speech the week before.

Skeptics will credit the speechwriters and his use of a TelePrompTer for what might be merely a superficial and temporary change in the candidate's style. The prompter, a device rarely used on the campaign trail, is proving unusually helpful to Dole, whose disability makes it almost impossible for him to handle the 4-by-6 cards politicians generally use when speaking on the stump.

The prompter has another virtue—it attaches Dole to the text and discourages his ad libs. And the ad libs are still a problem. They sometimes threaten to lead him up that same California highway President Reagan took in his alarming first debate with Walter Mondale in 1984.

At one point, for example, Dole's prepared text read: "We must do everything possible to ensure that child support payments go to those who deserve them." After speaking the words, the government guy began winging it. "And it ought to be done," he said.

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"We've been working on it for, oh, 10, 15, 20 years. Started out a long time ago—with Sen. Long in the Senate Finance Committee." The first hints of puzzlement stirred through the audience. "Sen. Long, when he was chairman, from the great state of Louisiana."

Three months ago, Dole would have continued in this vein: "Good friend of mine. Democrat, but . . . he brought up the motion to recommit. A great idea. Trying to get it done. That's what it's about in Congress. Getting things done . . ." and on and depressingly on.

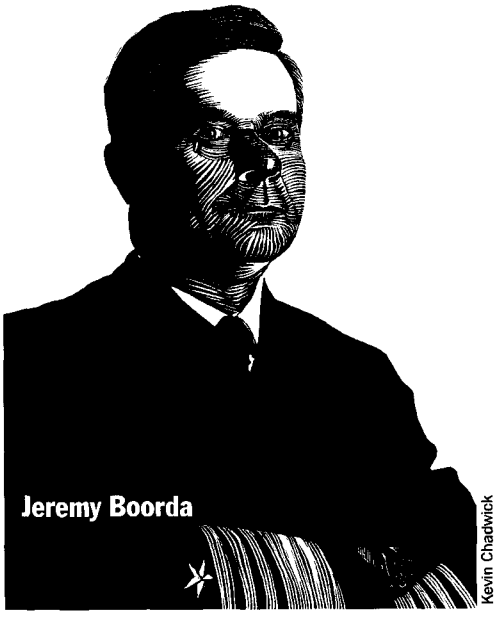
In Fond du Lac, though, Dole restrained himself and returned to the text—to his message. His willingness to use a prompter regularly after so many years, and to respect the offerings of speechwriters, may indeed signal nothing more profound than a momentary shift in technique. But it just as likely demonstrates a new realism on Dole's part, to repeat a message over and over, as often as necessary, to discipline himself against his own deficiencies, to defer to advisers when deference is the best way to advance his own interests. Maybe. He got good stories out of it in the next day's press.

After the speech, back on the plane, there was a delay in takeoff. As reporters milled restlessly about, word spread that Dole had appeared from the front of the plane and was standing on the gangway. An impromptu press availability? Photographers scurried out the back of the plane and around to the front. Dole stood on the stairs in his bright blue shirt, smiling, arms folded, head tilted back to catch the sun. There was no press availability; no reason to step on his own story. He just waved at the hacks, looking relaxed—tanned, God knows, and rested, and maybe, at long last, ready too. ♦

Naval Justice

by Albert Pyle

Judgments are rendered quickly below decks in the Navy. Enlisted men (women are still a small minority in the seagoing ranks) hold court on the spot, and they are far more interested in truth and justice than in mercy and reform. Political correctness is not a consideration in seagoing deliberations any more than it is in a hurricane. The standards of justice of sailors before they join the service are formed in small towns, blue-collar suburbs, and on tough streets. And at sea those standards of justice are shaped by shipmates, by the dangers with which sailors live, and by the rules of war.


Jeremy Boorda

Kevin Chadwick

There are no clinical psychologists in the sick bay of a destroyer. An attack submarine carries no peace enablers. An aircraft carrier is so big and carries so many staff officers that there are probably spin doctors and speechwriters aboard, but enlisted men are effectively isolated from their wisdom. The social scientists and think tankards whose numbers fill journalists' rolodexes, those thoughtful faces chatting with Charlayne Hunter-Gault from Madison and Cambridge and Georgetown telling us what we think on the *NewsHour*, have no place at sea. Political journals don't reach the mess decks. At sea, all opinion is local.

At sea, the first measure of a man or woman is his honor. It's not whether he's electable, a nice guy, or went to an impressive college, but whether he is straight-up. Whether he will be reliable when high explosive shells pierce the bulkheads, when the engine room catches fire, when jet fuel covers the flight deck, when the nuclear reactor fails to respond to orders, when a fire-control radar locks on, or when sea water pours in after a collision.

Reliability is measured by performance on the job and honor in deportment. A sailor who does his job, does it right, does it when it needs to be done, who does not make his shipmates pick up slack, who does not complain or whine, whose work is consistent, is a sailor who can be trusted. And if you cannot trust a sailor, you do not want him anywhere near you when things get rough. He could sink your ship.

Admiral Jeremy Boorda spent six years as an

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enlisted sailor before he moved up into the wardroom. He obviously loved the organization that gave his life order and meaning, and it is equally obvious that he knew that organization well. As the chief of naval operations he surely knew the capital well enough to know that there would be no tough judgments from the draft-evader in chief of the armed forces over a couple of unearned brass Vs stuck on those little bits of ribbon. But as a veteran of six years in the crowded, close society of enlisted sailors, men whose society he seems to have sought many years after becoming an officer, Admiral Boorda knew that his honor was busted. Having claimed for himself a credit he did not earn, he had sacrificed the trust of his men as long as he lived. But having lived among those men, he must also have known that his standing with them would be restored by his final action.

The reporters who covered Admiral Boorda's suicide, who went looking for baffled officers and friends who could not understand how the man could take so seriously such a small error, got it wrong. Searching in the halls of the Pentagon and among the deskbound they had no trouble getting quotes. Even on the pier, collaring real sailors, men who know better than to speak truth to a reporter, they found the angle of pious concern they wanted. Had they gone to sea and stood by the sinks where sailors brush their teeth with rationed water, however, those reporters would know that Admiral Boorda's death was perfectly well understood. They would also know that, among the men he cared about and for, the admiral's honor was restored.

Albert Pyle, a Cincinnati writer, served in the Navy from 1966 to 1970.

Bishops and Mates

by Douglas LeBlanc

The defendant was late when the Episcopal church's Court for the Trial of a Bishop convened shortly before last Christmas. The presiding judge, a fellow bishop, asked him to introduce himself. "I'm Walter Righter," he said—"heretic."

This was just a bit of theater, of course. Bishop Righter had no worry that he would be boiled in oil or have his fingernails pried off. In fact, it wasn't a "heresy" trial at all—that was simply the media's eye-catching characterization. It was an ecclesiastical trial requested by 10 other bishops who protested that Righter taught doctrine contrary to that of the Episcopal church and that he had violated his vows by ordaining one Barry Stopfel as a deacon. Stopfel is—in the church's current parlance—"a non-celibate homosexual person living in a committed same-gender sexual relationship." Righter performed the ordination at the behest of his friend and ally John S. Spong, the notorious bishop of Newark, who in 1989 made news by ordaining the first openly practicing homosexual priest in Anglican history. (The priest turned out to be too much even for Spong when he declared that Mother Teresa "ought to get laid.")

On May 15, the church's court announced that it could find no fault in Righter—no "core doctrine" transgressed, no "discipline," or lesser teaching, that would have forbidden Stopfel's ordination. The ruling came as no surprise to those who had been following the case, and the course of mainline Protestantism generally. Revisionists had long before gained the upper hand, thanks in large measure to maverick ordinations and the accompanying erosion of the orthodox consensus.

Consider the presiding judge in the case. At the church's triennial convention in 1991, he admitted to ordaining non-celibate homosexuals. Another bishop-judge ordained such a homosexual as a priest in March 1995, after the 10 protesters had filed their motion. Two others signed a statement in 1994 pledging the ordination of homosexual priests and the blessing of same-sex unions.

The church advocate, or prosecutor, asked that these judges recuse themselves, owing to their obvious predisposition. But the judges declined, stating, "The Court polled its members and each and every Judge confirmed that he is, in fact, unbiased and impartial regarding the case at hand"; furthermore, they would "judge this case on its merits, in a fair and balanced manner, and not on any preconceived ideas they may have about the issues involved."

Three days later, one of the judges oversaw the ordination of an openly homosexual man to the priesthood in Los Angeles. Again challenged by the prosecution, this particular judge recused himself.

Even so, the court ruled to exonerate Righter on a 7-1 vote. The lone dissenter sounded the traditional argument that the church's doctrine of marriage prohibits the ordination of active homosexuals as clergy. The majority, by contrast, demoted marriage from what it called a "core doctrine" to a "doctrinal teaching," on a par with just-war theory, slavery, divorce,

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and remarriage. The judges wrote that "for most of its history the Church understood slavery as normative in society and acceptable within Christian life and practice." "Similarly," they said, ". . . we have come to see and understand that marriages can die and even be places of destruction which may justify their termination."

Thus, the court's unprecedented decision represents a historic victory for the Episcopal Left. These members were aggressive and sharp-elbowed throughout the affair, denouncing the orthodox as "schoolyard bullies" and worse. One editorialist from Michigan, writing in that state's largest Episcopal publication, likened Righter's accusers to the assassin of Israeli prime minister Yitzhak Rabin—for which the Associated Church Press, a guild of mainline religious publications, gave him an award.

And there is little reason to believe that this trend won't continue at the next General Convention, scheduled for July 1997 in Philadelphia. There, the Standing Liturgical Commission will present a paper on the wisdom of blessing same-sex unions; smart money says the commission will seek authorization to prepare the corresponding rites.

Moreover, the assemblage will address, perhaps once and for all, the momentous question previewed in the Righter case: the ordination of actively homosexual clergy. The judges' ruling seems a green light for official sanction, but, within Episcopal governance, it is the General Convention that issues the final word.

Two decades have passed since the church was roiled by the ordination of women; it is roiled now. The orthodox play their part as frustrated and maligned holdouts, while the revisionists, ever in the vanguard, confidently gain ground.

In the Cathedral of St. John in Wilmington, Del., after the court spent two hours explaining its decision, a regional leader of Integrity, the church's homosexual caucus, broke into the doxology, the brief song of praise to "Father, Son and Holy Ghost." "It struck me early on in the proceedings," he said, "that this was a time of rejoicing and closure. We can now sit back and discuss the issues openly and comfortably, and without rancor."

For others in the church, the path to the next General Convention will be anything but a time for rejoicing. The matter of closure? That we will soon know.

Douglas LeBlanc edits **United Voice**, *the national newspaper of Episcopalians United.*

Roosevelt Republicans

by Marvin Olasky

Some Republicans are on a rendezvous with impotence. Not wanting to appear insufficiently progressive as the year 2000 approaches, they say they want what Bill Clinton wants, but in a way kinder and gentler to budget constraints. Like their me-too predecessors in the 60s and 70s, "conservatives" who are thoroughly modern millennialists seem unable to take an independent stand and stick to it.

Part of the problem is wanting to look good in the *Washington Post*, but part is miseducation. Impotent Republicans accept the notion propounded most recently by the *Post*'s E.J. Dionne, that the choice is between reactionary fuddy-duddyism and the progressive impulse that took form during the presidencies of the two major Progressive Era presidents. What's missing is an understanding of the crucial differences between the two presidents: Theodore Roosevelt would feel comfortable with parts of today's religious right, but Woodrow Wilson was an ancestor of the modern religious left. There was not one progressivism; there were dueling progressivisms.

Theodore Roosevelt embodied Biblical progressivism, the belief that societies can improve when individuals, through God's grace, work together to contain evil. The Republican Roosevelt's speeches consistently showed an emphasis on a clear and concrete application of Biblical commandments, not a subjective morality. Here's a typical TR comment, from 1906: "The Eighth Commandment reads: 'Thou shall not steal.' It does not read: 'Thou shall not steal from the rich man.' It does not read: 'Thou shall not steal from the poor man.' It reads simply and plainly: 'Thou shall not steal.'" President Roosevelt busted a few trusts that he thought were stealing, but he saw government-imposed redistribution of income also as stealing: "No good whatever will come from that warped and mock morality which denounces the misdeeds of men of wealth and forgets the misdeeds practiced at their expense."

Woodrow Wilson, however, read the Bible through the lens of a "higher criticism." Wilson sneered privately at "orthodoxy," told his daughter that hell was only a "state of mind," and as president of Princeton regularly twisted Bible passages during chapel talks. For example, one Wilson sermonette turned a state-

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ment by Jesus about the centrality of objective truth—John 6:63, "the words that I speak unto you, they are spirit, and they are life"—into a celebration of personal subjectivity: "The 'spirit' spoken of in the text [is] . . . the spirit which translates all law into privilege . . . by satisfaction of inborn instincts." Such exegesis allowed Wilson to liken his own mood swings to God's will, so that he could ostentatiously announce when inaugurated that feelings swept across his "heartstrings like some air out of God's own presence."

Two dueling progressivist political theories grew out of and accompanied these different ways of interpreting Scripture. Roosevelt saw himself as a defender of order against chaos, rather than the creator of a new order. He devoted himself to defeating the growing socialist movement of his time by showing that "Socialists and others really do not correct the evils at all, or else only do so at the expense of producing others in aggravated form." He saw socialism as the political manifestation of covetousness; like all sins in this life, it could not be stopped, merely contained.

Wilson, however, styled himself a new messiah and argued that under his leadership a new age could commence virtually on demand. In his first inaugural address he prophesied a new freedom for administrators within "the great Government"—capital G, like God. He gave Government a task that required omnipresence: "to purify and humanize every aspect of our common life . . . to lift everything that concerns our life as a Nation to the light that shines from the hearthfire of every man's conscience and vision of the right."

Wilson ended his second inaugural address in a furious burst: "Men's hearts wait upon us; men's lives hang in the balance; men's hopes call upon us to say what we will do. Who shall live up to the great trust? Who dares fail to try? I summon all honest men, all patriotic, all forward-looking men to my side. God helping me, I will not fail them, if they will but counsel and sustain me."

What all this meant in practice is that Roosevelt paid attention to what was close-at-hand and looked for gradual progress. He relished governmental action in specific circumstances but argued that "the sphere of the state's action should be extended very cautiously, and so far as possible only where it will not crush out healthy individual initiative." When those who dreamed of a welfare state asked him for support, Roosevelt chastised them for "mere sentimentality" and noted, "It is eminently desirable that we should none of us be hard-hearted, but it is no less desirable that we should not be soft-headed."

Wilson, on the other hand, preached utopian progressivism, most notably in his claim that World War I was the "war to end wars." He played designated savior in 1919, when a million Parisians chanted, "Wilson, Wilson," and French prime minister Georges Clemenceau said, "I do not think there has been anything like [Wilson's reception] in the history of the world." With his hubris at its height, Wilson even claimed direct divine inspiration for the League of Nations agreement: It came about "by no plan of our conceiving but by the hand of God who had led us into this way." (Unlike God, however, Wilson was so far short of omniscient that he did not even know the geography and demographics of one "country" he abstractly stitched together—Czechoslovakia.)

Wilson's inadequate understanding did not keep him from speaking of the League of Nations conference in apocalyptic terms, or from refusing to compromise with the Senate afterwards. Even when debates showed that the League covenant was not inspired, Wilson seemed to consider it inerrant; his refusal to compromise in the slightest doomed the effort to make the United States a League member. Roosevelt also was bull-headed, but his sense of God's sovereignty let him be reasonably patient until 1912, when he led progressive followers out of Republicanism and into the short-lived and decidedly unblessed Progressive party, singing, "Onward, Christian Soldiers."

But the greater loss came among the Democrats, who during the Wilson administration began their transition from a grounded awareness of the limitations of politics to an airy utopian progressivism in which even the sky was not the limit. Woodrow Wilson insisted that the choice was between his religious left progressivism and a reactionary spirit. Franklin Roosevelt and every Democratic president since then have said the same, as have their journalistic camp-followers.

The Theodore Roosevelt school of progressivism challenges such political oversimplification. The Republican Roosevelt's emphasis on empowering individuals—on having government promote the general welfare but not provide welfare to all who demand it—is needed as much at the end of this century as it was at the beginning. The progressivism that emphasizes individual dedication to both liberty and virtue has at least as strong a claim to the name "progressive" as that which makes a god of Government. Republican statesmen do not have to think that the road to progress runs through whatever new Eden the latest White House manifesto or Washington think-tank study conjures up.

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Most Favored Nation—or Most Appeased?

By Robert Kagan

Bill Clinton's announcement last week that he will seek unconditional renewal of China's most-favored-nation status is the latest evidence of a metamorphosis remarkable even for this president. Though he relentlessly attacked the Bush administration's China policy as bereft of human-rights concerns during his 1992 candidacy, in office Clinton has become the spiritual godson of Henry Kissinger. After a very brief flirtation with risky originality, Clinton has sought safety in the conventional wisdom of the bipartisan foreign policy and business elite, in which he stands shoulder to shoulder with his presidential rival, Bob Dole.

Incoherence on China is not unique to Bill Clinton's foreign policy. It has been a problem for politicians of both parties since the late 1980s. The collapse of the Soviet Union and its Communist empire swept away the original foundation on which the Sino-American rapprochement was built in the early 1970s. America's interests and priorities have shifted as policymakers must now grapple with how to manage a world in which the United States is the sole superpower. At the same time, China's place in the constellation of global powers has shifted; from its position as the weakest side of the Sino-Soviet-American triangle as recently as 10 years ago, China seems poised over the coming decade to become the principal challenger to American dominance of the world order.

The lack of clarity and resolve in American policy toward China today is due to the failure of policymakers to recognize these changes and reorient American strategy to deal with them. The result has been worse than incoherence. American policies these days are starting to look a lot like the kind of appeasement that eventually leads to disaster.

Twenty-five years ago, the logic of the U.S.-China relationship was clear. At a time when American power seemed in Vietnam-saturated decline, Richard Nixon and Henry Kissinger were searching for quick and easy ways of redressing the increasingly unfavorable U.S.-Soviet balance while shoring up Nixon's political standing at home. Playing the "China card" looked like a brilliant strategic gambit, a simple matter, as Kissinger recalled in his memoirs, of "align[ing] oneself with the weaker of two antagonistic partners, because this acted as a restraint on the stronger." Kissinger did not share the view of State Department Sinophiles that good relations with China were a worthy end in themselves; he considered them a means to the end of shaping Soviet behavior and inducing Soviet leaders to accept the outstretched hand of détente. Indeed, as former Kissinger aide Peter W. Rodman has noted, the real purpose of "triangular diplomacy" was not to forge a permanent strategic partnership with China against Russia but "to secure better relations with both."

The shift to a more enduring strategic partnership with China came during the Carter administration under the direction of national security adviser Zbigniew Brzezinski. Alarmed at the Soviet Union's increasing adventurousness in the Third World from Africa to Southeast Asia, Brzezinski sought to involve the Chinese more directly on the U.S. side in the worldwide anti-Soviet struggle. Kissinger aimed at playing both Communist giants against each other, but Brzezinski in 1978 traveled to Beijing to tell Deng Xiaoping that the United States had "made up its mind" and had chosen China. The price the Carter administration willingly paid for this new strategic partnership was the completion of the process of normalization Nixon had begun, including the revocation of U.S. recognition of Taiwan. In American foreign policy circles, Brzezinski's actions firmly established the still-extant bipartisan consensus on the overriding strategic importance of U.S.-Chinese relations.

The world of the 1970s looked very different from today's, however. The West was suffering from a paralyzing loss of confidence in its institutions and its liberal values. Communism still seemed to many around the world, and even to some in the United States, a viable if not superior alternative to capitalism. The great, resurgent successes of liberal capitalism—the Reagan boom here, the rise of the economic "tigers" in East Asia—lay in the future. The policymakers of the 1970s could not even have begun to imagine the worldwide democratic revolution that began in the

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1980s in Latin America and Asia and then spread to Central and Eastern Europe and Russia. Instead, the United States was surrounded by dictatorships in its own hemisphere and maintained supportive relations with them and many others around the world.

In such a world, the strategic value of American rapprochement and then partnership with a Communist China seemed to outweigh the sacrifice of American ideals such a relationship required. Churchill had been willing to "sup with the devil" in order to defeat Hitler; few questioned the logic of closer U.S.-Chinese ties in a world where democracy and capitalism seemed to be imperiled by an expanding Soviet empire. In a world filled with dictatorships of both the left- and right-wing varieties, moreover, few believed the United States could afford to be picky about how its allies governed themselves.

Sean Delonas

Which is not to say that everyone in the United States was enthusiastic about the new partnership with Communist China. Conservative Republicans, including the old "China Lobby" with its bitter memories of 1949 and the "betrayal" of Chiang Kai-shek, opposed some elements of the new course—especially when it was conducted by the Democratic administration of Jimmy Carter. Thus Robert Dole, although a devoted supporter of Nixon, vigorously opposed Carter's normalization of relations with China at the end of 1978. After normal ties were established, as Jim Mann of the *Los Angeles Times* has recently noted, Dole called on the White House to invite the president of Taiwan to Washington. From the floor of the Senate in 1979, he insisted that the Taiwan Relations Act must not leave America's old ally undefended against aggression by America's new ally. And when Carter proposed extending most-favored-nation status to China in 1980, Dole led the opposition and introduced legislation denying it to any nation that, like China, had not yet signed the nuclear nonproliferation treaty.

Despite these efforts by its Republican allies, however, the authoritarian regime in Taiwan had a difficult time winning much support in the United States. The dominant view of American policymakers in both parties was that holding the prized China card was essential to America's strategic well-being and that other issues—like sentimental ties to Taiwan, like the sharp ideological differences between China and the United States—had to be set aside.

The resurgence of American power and will under Ronald Reagan ought to have changed this and many other calculations. And to some extent during the 1980s, it did. Reagan, who had achieved preeminence in the Republican party partly by leading a crusade against the Nixon-Kissinger foreign policy, did not share Kissinger's and Brzezinski's strong attachment to the China card. Reagan himself was a longtime supporter of Taiwan, and as Peter Rodman points out, in the Reagan administration "even the younger officials making Asia policy . . . thought that the Nixon, Ford, and Carter administrations had all gone overboard in their sentimentality about China."

There was also strategic logic to the Reagan administration's de-emphasis of the relationship with China. At a time when Reagan was determined to challenge the Soviets directly on all fronts, both militarily and ideologically, a China policy born in a time of strategic weakness was less compelling. Reagan simply didn't believe he needed China as much as Nixon and Carter had.

The worldwide ideological offensive that Reagan

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launched at the start of his second year in office, moreover, could not fail to affect the nature of relations between the United States and China. By the mid-1980s, much of the world appeared to be moving steadily in the direction of liberal economics and liberal government. The dire circumstances that had given birth to the U.S.-China strategic partnership in the 1970s were rapidly giving way in the 1980s to a new international situation that required a recalculation of the value of close ties between the two global powers.

IN THE POST-COLD WAR ERA IT IS LUDICROUS TO SPEAK OF PLAYING THE CHINA CARD, AS KISSINGER AND BRZEZINSKI ONCE DID.

Finally, the beginning of the collapse of the Soviet empire in 1989 and the emergence of the United States as the world's dominant military, economic, cultural, and ideological power utterly shattered the original rationale for Sino-American partnership. In the post-Cold War era it was ludicrous to speak of playing the China card, as Kissinger had, to convince Moscow to embrace détente; or as Brzezinski had, to combat Soviet aggression in the Third World. It was no longer possible to describe U.S.-China relations as "align[ing] oneself with the *weaker* of two antagonistic partners," given the Soviet Union's free fall and China's explosive economic growth.

China itself had appeared to be part of the global trend toward freedom throughout the 1980s. The "Four Modernizations" begun under the leadership of Deng Xiaoping in the late 1970s helped produce the Chinese economic miracle we know today. A Chinese "democracy movement" soon emerged, calling for a "Fifth Modernization," free elections, and in some instances openly praising American-style democracy. Though it was subject to government harassment, the existence of the democracy movement suggested to many American observers that political reform in China was the inevitable next step after Deng's economic reforms.

The massacre at Tiananmen Square in 1989 and the subsequent suppression of dissidents, which continues to this day, dashed these hopes. It could hardly have been better timed to force the United States to reconsider the unpleasant bargain it had made with its conscience in the 1970s. At the same time the old strategic rationale for the U.S.-China partnership was vanishing, the Chinese government cast a bright light on the acute ideological differences between the two countries. Indeed, after Tiananmen, China emerged as the most powerful opponent of American liberal principles in the world.

In the ensuing years, China would significantly increase its military spending, even as both Soviet and American defense spending declined, and with the clear aim of using its growing military power to enhance its influence abroad. The fruits of these efforts have been apparent in recent years, as China, in the words of Sen. John McCain, has increasingly been "displaying very aggressive behavior"—in the South China Sea, against a newly democratic Taiwan, and in a growing propensity to make arms sales to many of the world's rogue states.

Under these new circumstances, it would seem to make little sense to continue pursuing the old Cold War policies toward China. Yet remarkably, that is just what the Bush administration tried to do after 1989, and what the purveyors of the bipartisan consensus, including most recently the Clinton administration, have been trying to do ever since. Even after the Cold War, the United States maintained "overriding strategic interests in engaging China," former secretary of state James Baker declares in his memoirs, but nowhere does he explain exactly what those "overriding strategic interests" are.

In fact, the most common explanations of the strategic importance of the U.S.-China relationship today are fraught with contradictions. American business leaders, and their supporters in the administration and Congress, constantly point to China's potentially vast market for American goods. But it is striking how unimpressive the economic numbers really are. Last year, American merchandise exports to China amounted to $12 billion, about 2 percent of overall exports. By comparison, American exports to Taiwan, with a population one-sixtieth as large as the mainland's, were $19 billion. Meanwhile, China has amassed a $34 billion trade surplus with the United States, enough to send Patrick Buchanan into fits of protectionist hysteria. Well might the boosters of the U.S.-China trade relationship insist, like Rep. Toby Roth, that "the key is not where China is today. What is important is where China is headed." But how impressive does the future look? Roth boasts that "in just 15 years, China will be our 13th largest export market." Now *there's* a strategic imperative!

In the late 19th century, many American businessmen succumbed to what some historians now call "the myth of the China market." The businessmen, the politicians, and the policymakers of the day could see only the unimaginable bounty that lay in the future of

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such a populous country—even though earnings in the near-term proved minuscule and businesses had to suffer losses in an effort to wheedle their way into the good graces of the Chinese powers that controlled foreign trade. A full century later, the bounty is still elusive, but the myth is just as potent.

And today's proponents of the China trade on strategic grounds have adopted another 19th-century nostrum as well: the conviction that increasing trade is the solvent for all the problems of mankind. Nations that trade with one another, the theory goes, will not let clashing strategic interests get in the way of making a buck. After all, Rep. Roth insists, "Economic strength, not military might, determines the world's great powers today." In testimony before Congress recently, Clinton administration official Stuart Eizenstat defended the renewal of most-favored-nation status for China on the grounds that the "commercial relationship provides one of the strongest foundations for our engagement." Argues undersecretary of state Peter Tarnoff: "Our economic and commercial relations increase China's stake in cooperating with us and in complying with international norms." Robert Dole, once the mainland's foe, now agrees: In a May 9 speech, he argued that "extension of most-favored-nation status [is] the best way to promote our long-term interests in China. . . . In China, continuing trade offers the prospect of continuing change."

Is that true? Few Republicans and conservatives would say that trade will reform Castro's Cuba. Nor would they be likely to forget that during the Cold War, the Jackson-Vanik restrictions on trade with the Soviet Union did not prevent political liberalization. On the contrary, the denial of most-favored-nation status to the Soviets may have encouraged reform by forcing the Communist leaders in Moscow to undertake political liberalization as the prerequisite for economic growth.

The view that economics is paramount while military, strategic, and political issues are of declining importance—so-called Manchester liberalism—was rampant in the 19th and early 20th centuries, right up until the outbreak of World War I. It is as dangerous a misconception today as it was then. Nevertheless, this assumption now lies at the heart of American China policy. We need to engage so we can trade, say the businessmen; yes, say the China experts, and we need to trade so we can engage.

In their search for a new rationale for preserving a close relationship between the United States and China, the adherents of today's bipartisan consensus have had to employ such logic constantly. Indeed, the logic of the U.S.-China relationship today has turned in on itself. In the 1970s, the case for strategic partnership with China was that it was necessary to meet the threat posed by the Soviet Union. Today, it seems, strategic partnership with China is necessary to meet the threat posed by China. Secretary of State Warren Christopher put the case best in his speech on May 17. He noted the "importance of China to our future security and well-being." And what, in addition to the lure of the market, is that importance? The answer is that "China can tip the balance in Asia between stability and conflict." In other words, we need a good relationship with China because China is dangerous. Or as Eizenstat put it, "It is when China's policies are the most difficult that engagement becomes the most essential."

It's a nice racket the Chinese have going. By the current circular logic of American policy, the more trouble the Chinese make—whether in Taiwan, or on trade, or in the South China Sea, or in weapons sales to rogue states—the harder the United States has to work to "engage." There is no dispute on this point now between the leading figures of both parties. Henry Kissinger, in an op-ed piece a few weeks ago, declared that "after Chinese leaders had been pilloried and threatened with sanctions for years," what was needed now was "a serious strategic and political dialogue, . . . a sustained effort to define a common assessment of the future of Asia." Christopher soon after announced his intention to "develop a more regular dialogue between our two countries." The idea is that regular consultations will "facilitate a candid exchange of views, provide a more effective means for managing specific problems, and allow us to approach individual issues within the broader strategic framework of our overall relationship."

BY THE CIRCULAR LOGIC OF AMERICAN POLICY, THE MORE TROUBLE THE CHINESE MAKE, THE HARDER WE MUST WORK TO "ENGAGE."

We may be forgiven for doubting whether such candid talks will make a big difference. After all, it's not as if efforts at assiduous diplomacy haven't been tried. After the massacre in Tiananmen Square in 1989, President Bush and his secretary of state saw their main task as protecting the important strategic relationship with China from American outrage at Beijing's massive abuse of individual rights. According to Baker, President Bush's first reaction upon hear-

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ing of the assault at Tiananmen was: "It's going to be difficult to manage this problem." And indeed it was, as Baker's memoirs amply demonstrate. Baker employed precisely the negotiating style that the China experts insist is the only kind capable of producing results—quiet negotiations, no public threats, none of the "spasmodic harassment" Kissinger finds so detrimental, and constant attention to the fact that, as Baker writes, "face is unusually important to [the Chinese], so an interlocutor must negotiate a delicate balance that nudges them toward a preferred course without embarrassing them in the process." Despite all this subtle diplomacy, the Chinese gave Baker absolutely nothing for his troubles. Chinese officials, Baker recalls, "had no compunction about asking for American concessions while simultaneously ignoring my request for 'visible and positive Chinese steps' to make it easier to allay congressional and public anger with Beijing." Throughout the four years of the Bush administration, Baker acknowledges, "the Chinese relationship essentially treaded water."

Under present policies, in the years to come the United States will continue to tread water, or worse. The truth is, our posture today is, simply, plain old appeasement. One bit of proof is that we are not supposed even to use the word "containment" to describe our policy toward China lest we suggest to the Chinese that in some way we may consider them adversaries. The United States "should not, and will not, adopt a policy of containment towards China," declares Undersecretary Tarnoff. Why not? Because "we would gain nothing and risk much if China were to become isolated and unstable." In other words, even if it were necessary to contain China, it would be too dangerous to attempt the task. This is Kissinger's view, as well. Any attempt to pursue a policy of "containment" of China, Kissinger has argued, is "reckless" and a "pipe dream."

Such a skittish approach to another world power might be forgivable if our own nation were weak. But the same people who fear a policy of "containment" often boast that China needs the United States more than the United States needs China. In a trade war, for instance, Eizenstat argues that "China has a lot more to lose than we do." Like that $34 billion trade surplus, for instance. According to Baker, the Chinese "need our help to sustain their economic growth." And Baker, who got nowhere in four years of subtle diplomacy with Beijing, even believes that the Chinese understand toughness: "Strength inevitably irritates the Chinese, but they understand it. And the absence of resolve in dealing with them can lead to serious miscalculation on their part."

And yet "the absence of resolve" would seem to be the best characterization of the policy that the Bush administration and now the Clinton administration have chosen to pursue toward China. When Baker negotiated with the Chinese during the Bush years, he always went out of his way to make clear that the Bush administration was entirely "committed to maintaining the relationship," that it was always "seeking ways to reconcile our estrangement." Little wonder that, according to Baker, the Chinese "seemed utterly oblivious to our concerns." It is axiomatic that if the United States enters all negotiations with China with the mutual understanding that ultimately American leaders will not allow an estrangement in the relationship, then the Chinese will win in most of the negotiations.

In every relationship between nations there is a horse and a rider, Bismarck once noted, and one should endeavor to be the rider. American policy toward China today almost guarantees that we will be the horse.

How can the United States restore the resolve that James Baker believes is so essential to effective dealings with China? This week Congress is debating and voting on the renewal of most-favored-nation status for China. It will surely pass, and perhaps it ought to. The fate of U.S.-China relations should not rest on this relatively narrow issue. The problem with our China policy goes deeper than simple trade rules. Dealing with an increasingly powerful and ambitious China over the coming years will require a strong and determined America willing either to engage or to contain China, depending on Chinese behavior.

Still, most-favored-nation status has become a symbol of China's whip hand over us. Our unwillingness to pay what is still a relatively small economic price in terms of lost trade opportunities; our fear that any crisis in U.S.-Chinese relations that might result from denial of most-favored-nation status is too dangerous to risk; our concern that in any confrontation it is we, not they, who will be most likely to blink—these are all sizable cracks in our armor the Chinese can exploit, have exploited, and, indeed, are exploiting.

Thus one can only conclude that before we can conduct a successful strategy of compelling China to "play by the rules of the international system," in the words of Bob Dole, we will have to break our addiction to the China-market myth. And that can only come about if policymakers, economists, and businessmen begin to look at the hard truth and stop allowing their dreams of a gold rush to outweigh more vital concerns—not only America's strategic interests, but the basic liberties of more than a billion people living beneath the yoke. ♦

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TRENTO'S LAST CASE: FROM BOORDA TO CLINTON

By Tucker Carlson

Joe Trento has a hot tip. Yet the 48-year-old chief reporter for the Washington-based National Security News Service seems strangely nonchalant as he lays out what could be the story of the decade: Bill Clinton was a CIA agent. As Trento tells it, the future president did a lot more than protest the war during his days at Oxford. In his spare time, Clinton also couriered "documents on several trips on behalf of the U.S. government." These trips for the Agency—which, Trento points out, Clinton undertook "at some risk to himself"—extended as far as Moscow and presumably included meetings with other undercover intelligence operatives. One of those operatives may have been longtime Clinton friend and current State Department official Strobe Talbott. According to Trento, Talbott worked for the CIA, too.

Scoops like this should be making Joe Trento famous, if not as a journalist, then at least as an imaginative storyteller. But they aren't. Instead, Trento and the National Security News Service have gained notoriety for the reporting they have done on impropriety in the military, most recently for providing *Newsweek* with the tip that apparently led to Admiral Jeremy "Mike" Boorda's suicide in mid-May. Although it produces no publications of its own, Trento's organization has since 1990 assembled and disseminated scores of pre-packaged news stories to reporters and producers at nearly every major media outlet in the country, including the *New York Times*, the *Wall Street Journal*, the *Washington Post*, and numerous television newsmagazines. Indeed, the juiciest military-related scandals in recent memory—the general who used a military plane to fly his cat home; the drunken chief petty officer who sexually assaulted his subordinate on a chartered flight—seem to have originated with the nonprofit news service. Over the past four years, a single ABC news program, *20/20*, has aired no fewer than six of the news service's stories. "They are just a terrific resource that a lot of us in Washington use," Donald Thrasher, *20/20*'s producer, recently told the *Boston Globe*.

The National Security News Service, in other words, has become a favored resource for many investigative reporters and so has played an important role in shaping media coverage of the armed services. And yet nobody in the press appears to have noticed one key fact: Joe Trento, the three-man news service's self-described "bureau chief," is a full-blown conspiracy theorist with a lifelong habit of throwing out wild claims about public figures. It seems an odd detail for investigative reporters to miss.

THE NATIONAL SECURITY NEWS SERVICE IS RUN BY A FULL-BLOWN CONSPIRACY THEORIST—A FACT ITS MEDIA CLIENTS SEEM TO IGNORE.

Not that Trento tries to hide it. Indeed, Trento, who says he came to the news service after being "technically" fired from CNN, seems proud as he explains how a secret cabal of CIA officials controls the American political process, if not the entire world. "I think this town has a total lack of knowledge of the extent the intelligence community plays in the way Washington operates," he says. "You can't be anybody in this town successfully in terms of official position without their approval." Take the approaching presidential race: "You look at Clinton, you look at Dole in terms of their politics, there is no difference." Trento's voice drops to a whisper. "But the *reality* is, either candidate is more than acceptable to the intelligence community." And it's a good thing, says Trento, because "if you do something they don't like, you're going to end up in trouble. And if you're arrogant and do something stupid, you'll end up in serious trouble."

Just ask President Kennedy. "Jack Kennedy wanted to close down the Agency," Trento explains. "This was in 1963. In 1964, of course, there is no Jack Kennedy and all those plans go down the drain." He pauses dramatically, his voice again lowering. "What I'm telling you is, the Agency has had a unique ability to adapt to any political environment." So to speak.

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Some may be surprised to learn that the CIA installs, and sometimes murders, American presidents. Not Trento. He's lived with the news for years. "I've been there, baby. I've been out in front on more intelligence stories than anyone, and I want to tell you, it's the loneliest place in the world when you do intelligence stories."

In many cases, Trento has been so far out in front on intelligence stories that the rest of the world still has not managed to catch up. In 1977, for instance, he co-authored an article for *Penthouse* magazine in which he charged that the Copley News Service had for 22 years existed as a CIA front group. At a news conference, Trento announced that he possessed the names of at least 23 Copley reporters who had once secretly worked as salaried employees of the CIA. Dramatic as the allegations were, Trento offered essentially no evidence to support them. Nor did he disclose the accused reporters' names—an omission, as he explains it now, that he was forced to make "because I didn't want to get them killed." At one point, Trento even publicly accused retired Marine general Victor "Brute" Krulak, then the president of Copley, of having been a "CIA liaison officer." Krulak vigorously denied the charge and decades later still seems angry about it. Reached at his office in San Diego, Krulak dismisses the allegation as "wholly untrue" and Trento as "pretty sleazy."

But Trento's allegations did not end with the Copley News Service. Other journalists Trento has accused of working for the CIA include former *Washington Times* editor Arnaud de Borchgrave (to whom he refers, inexplicably, as "Arnold"), the editor of the *San Diego Union*, and a large number of unnamed employees of the *Washington Post*.

All this reporting on the secrets of international intelligence, Trento says, has not come without personal risk. In the late 1970s, while working as a reporter at the Wilmington, Del., *News-Journal*, Trento did a series of stories on American policy in Chile—stories, Trento intones, that "didn't make anyone very happy." As a result of these hard-hitting pieces, he says, the government of Augusto Pinochet dispatched a hit man to the United States to silence him. The killer, a Hungarian posing as a Chilean journalist under the code name "Antonio Llamas," was unmasked when he was found in the possession of a detailed map of downtown Wilmington that included the garage where Trento parked his car each morning. "The plan was, the damn Chileans were going to kill a number of what they perceived to be enemies of the regime," says Trento. The killing, of course, never took place, although, Trento claims, years later he did run into the assassin in Vienna, Austria, where they got to know each other and became friendly. "I never thought of him as a terrorist," Trento remembers. "I thought of him as just a guy who was carrying out a mission of some sort."

It's not clear how much of these stories Trento actually believes, though there is evidence that he has glossed facts about himself and others in the past. Trento was first publicly held accountable for his storytelling in 1975, when as editor of *The Death Report* (described at the time as "a trade publication of the funeral industry" with "approximately 49 paid subscribers") he lost a $40,000 suit brought by a man who proved Trento had libeled him. A year later, during an unsuccessful bid for Congress in San Diego, Trento again ran into trouble when he told reporters about his previous job at the *Washington Post*, strongly implying that he covered such stories as the "abdication of Lyndon Johnson," "the murder of Martin Luther King, the Washington riots," and "the presidential campaign and murder of Robert F. Kennedy." Subsequent inquiries determined that Trento had been a copy boy at the newspaper for about six months in 1968. Around the same time, Trento also claimed he had attended UCLA. Yet the registrar's office found no record that he had ever even enrolled at the school. Over the years, Trento has revised his self-description. He now calls himself "a classic college dropout."

These days, nobody seems to be questioning the details of Trento's stories, though since the story on Admiral Boorda broke, the National Security News Service has received more requests for interviews than ever before. Despite the attention, however, Trento doesn't seem very interested in talking about Boorda. "That was a minor story for us," he says. What interests Trento a lot more is what he describes as "Japan's nuclear weapons industry," his latest scoop. "They're 30 days from assembling it," Trento says breathlessly. "They haven't put it together, but they can anytime they want." Which, needless to say, explains a lot. "This is what Clinton is up against when he negotiates with them," says Trento. "Clinton goes in for trade negotiations and says, 'We want you to do this, this, this, and this.'" And yet, "if we push them too hard, they'll build the f——g bomb."

Will anybody print a story like this? It won't be easy, says Trento, whose staff has prepared a four-page, evidence-free memo on the subject that he plans to distribute to journalists. "To sell hard news like we do is tough." Plus, he says, "nobody wants to offend Japan." On the other hand, Trento believes he does have some things going for him. For starters, he says, "I'm a very good reporter." ♦

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What Makes David Kessler Run?

By Matthew Rees

Want to know how decisions are really made in Washington—how a company can be bankrupted, how an effective medical procedure can be terminated, how science can be brushed aside, all in pursuit of a bureaucrat's ambition? Read on.

Throughout 1991, the Food and Drug Administration found itself under severe pressure to impose a moratorium on the sale of silicone breast implants. Liberal interest groups like Public Citizen and the National Women's Health Network insisted that the implants resulted in connective tissue disease. The media added to the pressure with tales of implant disease and rupture so disturbing that at least one woman tried unsuccessfully to remove hers with a razor blade. There was, however, one problem with a moratorium: There was no scientific justification for it. Or so an FDA advisory panel concluded in November 1991.

THE COMMISSIONER OF THE FOOD AND DRUG ADMINISTRATION IS AN AMAZINGLY RESOURCEFUL, MEDIA-SAVVY POLITICAL ANIMAL.

On January 3, 1992, a dissenting member of the panel met with FDA commissioner David Kessler. Dr. Norman Anderson, a professor at Johns Hopkins, was a true believer in the need for a moratorium, if not an outright ban. He gave Kessler a mound of documents obtained through a plaintiffs' attorney and under court-ordered seal that alleged scientific fraud and manufacturing violations by Dow Corning, the leading producer of implants. Anderson delivered a not-too-subtle threat to Kessler: Unless a moratorium was imposed he would make a scheduled appearance that night on *Nightline* and blast the FDA.

Well, Anderson made his *Nightline* appearance—during which he said nothing critical of Kessler or his agency. And three days later, Kessler stunned colleagues by keeping his end of the bargain with Anderson. "Today, I am requesting a moratorium on the further use of all silicone gel breast implants," Kessler said, acknowledging, "I have gotten documents, literally handed to me on Friday, that I reviewed for the first time." In April 1992 Kessler rejected a second FDA panel's recommendation against a moratorium and announced more sweeping restrictions on the availability of silicone implants.

Kessler's reversal had immediate and devastating repercussions. It prompted a litigation explosion. In the two years after Kessler's April 1992 announcement, roughly 16,000 lawsuits were filed by women with breast implants. More than 1,000 lawyers were involved. Their most visible target: Dow Corning, which collapsed under the weight of lawsuits and declared bankruptcy in May 1995.

David Kessler, it turns out, was wrong about breast implants. We know because *he* says so. Three months after Dow Corning's demise, Kessler made an extraordinary concession before a congressional subcommittee: "Silicone gel implants do not cause a large increase in traditional connective tissue disease," he said. Two weeks later, he made the same concession on *Nightline*: "There's not a large risk," he said.

In other words, Kessler acknowledged his moratorium was in error, a conclusion also borne out by numerous highly respected studies released over the past year. Yet with a few notable exceptions—such as an October 1995 *60 Minutes* segment—Kessler's blunder has gone practically unnoticed in the media. On the contrary, the press still treats him adoringly.

How has David Kessler gotten away with one of the costliest regulatory mistakes in decades with so little criticism and virtually no accountability? It's very simple: This graduate of law school, medical school, and business school has proved himself an amazingly resourceful political animal. Washington has never seen an official as publicity-conscious and politically sensitive as Kessler in a highly technical post. Even Surgeon General C. Everett Koop, a notorious publicity hound, couldn't come close.

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Kessler knows how Washington works. He rewards allies and punishes what few critics emerge. From his behind-the-scenes maneuvering to get the top FDA job in 1990 at age 39 to his habit of concentrating on high-profile issues at the expense of more important but less flashy FDA matters, Kessler has demonstrated time and again that his first priority is as much public adulation as it is public health. And he has done so by portraying himself as a disinterested, nonideological civil servant, even as he runs the FDA like a liberal activist's dream.

Kessler's life is a case study in how an exceedingly bright young man can link his talent with his ambition to achieve a rapid rise through Washington politics. He graduated *magna cum laude* from Amherst College in 1973 and then earned a law degree from the University of Chicago and an M.D. from Harvard—all by the age of 28. In 1981, while serving his residency in pediatrics at Johns Hopkins Hospital in Baltimore, Kessler began volunteering on the Senate's Labor and Human Resources Committee staff. His stint there would prove invaluable: The committee chairman, Sen. Orrin Hatch, a conservative Republican from Utah, was extremely taken with him and would later describe Kessler as "one of the brightest, most decent men I know." Equally important, the experience opened Kessler's eyes to Washington's ways. "As a doctor, I'm supposed to say that my most important training was my medical internship," said Kessler in a 1991 *New York Times Magazine* profile, "but frankly, my years on Capitol Hill were the most important. That's what taught me how this town works." (Kessler refused to be interviewed for this piece.)

BUSH OFFICIALS SUSPECTED THAT HE WAS WORKING SURREPTITIOUSLY WITH THE CLINTONS BEFORE NOVEMBER, BUT THEY HAD NO HARD EVIDENCE.

From 1982 until taking the FDA job eight years later, Kessler held senior positions at the Montefiore Medical Center, the hospital of the Albert Einstein College of Medicine in the Bronx. But this wasn't his real passion, as he was simultaneously earning an advanced professional certificate from New York University's business school and teaching food and drug law at Columbia. "I didn't want to just sit there and run a hospital," he later told the *Washington Post*. Indeed, Kessler had already begun cultivating friends who would come through for him during his campaign for the FDA job.

Kessler is fond of portraying himself as a simple public servant called upon by two presidents, Bush and Clinton. But this self-portrait is at odds with the facts. When then-FDA boss Frank Young resigned in November 1989, Kessler mounted a full-court press for the vacant position. Among those he lobbied were Peter Barton Hutt, a former FDA general counsel, and Charlie Edwards, a former FDA commissioner, both of whom wielded considerable influence in food-and-drug circles. Kessler also returned to his old boss Hatch, who went to bat for him with senior Bush administration officials. Ron Kaufman, a high-level political aide in the Bush White House, recalls that Hatch used to engage in "two kinds of lobbying—*pro forma* and real. For Kessler, his lobbying was real."

But Kessler didn't impress Health and Human Services secretary Louis Sullivan, who oversaw the FDA. After a disappointing session with Sullivan, Kessler returned to Hatch, who persuaded Sullivan to grant Kessler another audience. After that meeting, Sullivan left it to the White House to choose between Kessler and someone else.

But the White House botched its vetting. Bush's personnel chief, Chase Untermeyer, never interviewed Kessler, leaving only C. Boyden Gray's office of White House counsel to do a cursory background check. A preoccupied Gray asked Christopher DeMuth, president of the American Enterprise Institute and a regulatory expert, to check out Kessler. DeMuth had never heard of him but turned up a 1977 article from the *University of Chicago Law Review* in which Kessler questioned the merits of some anti-cancer regulations. So DeMuth called back a few days later to say Kessler seemed acceptable—a terrible irony, considering that DeMuth's think tank has been engaged in combat against Kessler ever since. The formal nomination was issued soon thereafter and sailed through the Senate on a voice vote. Kessler never had to undergo a formal confirmation hearing.

During the Bush years, Kessler succeeded in alienating numerous administration officials because of his anti-business approach, his grandstanding, and his refusal to work with White House officials on FDA reform. After the 1992 election some of Kessler's enemies in the administration mounted a quiet campaign to guarantee he would be forced out of office before Bush left the White House. (Alone among political appointees in the administration, Kessler had refused to submit a letter of resignation, as he and everybody else had been asked to do.) The effort intensified when Bush officials discovered in December that Kessler

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had begun correspondence with the president of the French pharmaceutical company Roussel Uclaf encouraging him to submit the necessary paperwork so RU-486 (the "abortion pill") could be distributed in the United States.

But Kessler survived: In the final days of the Bush presidency, the Clinton transition team sent the White House a list of people it wanted kept on, and Kessler was on the list. The genteel outgoing president acceded to the request, a decision Bush has told friends he now deeply regrets.

So how did Kessler get on this prized list? He denies having done anything to orchestrate his being held over by the Clinton administration, but this is open to question. Bush officials suspected at the time that he was working surreptitiously with the Clintons even before the election, but they had no hard evidence. FDA officials recall that one of Kessler's senior policy aides, Michael Taylor, labored before and after the election to boost Kessler's status with Clinton officials. Kessler himself tried, without success, to have a pre-election dinner with Al Gore but later persuaded influential Democrats like Sen. Ted Kennedy and Rep. Henry Waxman to lobby the Clinton administration on his behalf.

David Kessler

Kent Lemon

During the Bush-Clinton transition, Sidney Wolfe of the Naderite group Public Citizen pressed Gore to keep Kessler as commissioner. And three months after Clinton was inaugurated, Kessler ingratiated himself with his new boss, HHS secretary Donna Shalala, by announcing that the FDA would approve one of her pet projects, the female condom, despite its whopping 26 percent failure rate. For the Clinton administration, the decision to keep Kessler was the path of least resistance. Because Bush had never fired him, Kessler never had to be renominated and thus the new administration was spared a round of testy confirmation hearings.

Almost from the moment he arrived at the FDA's Rockville, Md., headquarters in December 1990, it was clear that Kessler had grand designs for the agency. Sometimes they were symbolic—Kessler shed 50 pounds from his beefy frame soon after becoming commissioner—while others had real consequences, such as hiring 100 additional enforcement officials. His quasi-religious sense of mission shone through in a May 1993 speech: "We gave [FDA employees] a cause in which to believe. We gave them a place where, once again, the good guys could win."

Yet what kind of leader has Kessler been to his "good guys"? He has taken to relying on his five deputy commissioners to do the lion's share of his work, and his fondness for working from his Bethesda home has only exacerbated the sense of isolation felt by many senior FDA staffers not in Kessler's inner circle. The head of the Center for Devices and Radiological Health, Bruce Burlington, conceded in an April 1995 meeting with congressional staffers that he had never seen Kessler set foot in his facility.

Kessler's dependence on a small group of advisers is troubling primarily because of the backgrounds of those within the inner circle. Sidney Wolfe, the head of Public Citizen, maintains a close relationship with Kessler, and his Luddite perspective has infected FDA personnel decisions. Kessler's policy chief, William Schultz, previously worked for both Public Citizen and Rep. Henry Waxman, while Mary Pendergast, one of Kessler's closest aides, is married to a senior Public Citizen staffer, David Vladeck.

Others around Kessler share the Public Citizen/Naderite worldview. The head of legislative affairs, Diane Thompson, is the former chief of staff for Sen. Barbara Mikulski, a liberal Democrat from Maryland, while Kessler's special assistant for policy, Mitch Zeller, previously worked for New York representative Ted Weiss, easily the most left-wing member of the House before his death. Another special assistant, Jerold Mande, was a legislative assistant to Sen. Al Gore, while the chief public relations spokesman, Jim O'Hara, is married to Marla Romash,

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who served as a spokeswoman for Gore.

Despite these obviously leftish credentials, Kessler tried after the 1994 election to persuade conservative Republicans he was one of them. In his first meeting with Texas congressman Joe Barton, one of the chief FDA reformers, Kessler immediately began trying to find common ground by talking about the work he had done for Orrin Hatch.

Kessler may not have won Republicans over, but his campaigns on issues ranging from breast implants and tobacco to orange juice and nutritional supplements have resulted in what can only be called his lionization in the mainstream media. Kessler has done so much television that he has a full-time TV adviser named Sharan Kuperman on the FDA payroll.

There's just one problem, according to many who have worked with him: The actions Kessler takes are motivated as much by his own ego as they are by any genuine health concerns. Kessler's original supporter, Hatch, now says that Kessler has become "more interested in publicity for the FDA than in the day-to-day hard work." This same charge is made by former FDA staffers, who routinely describe Kessler as an "egomaniac." They recall meetings with Kessler in which an equal or greater amount of attention was devoted to how the press would "play" their efforts as to whether the efforts were worthwhile ("I've got to call Phil on this" was a frequent refrain, referring to one of Kessler's favorite reporters, Phil Hilts, of the *New York Times*).

The first indication that public relations would trump public health at Kessler's FDA came four months after Kessler became commissioner. Procter & Gamble had been targeted because FDA officials claimed the company's Citrus Hill "Fresh Choice" orange juice wasn't truly "fresh." The day after negotiations between the FDA and P&G broke down, Kessler ordered agency officials, working alongside federal marshals, to seize 12,000 gallons of the orange juice at a warehouse in Hopkins, Minn. Though there was no issue of public health at stake, the seizure was a hit: The *Washington Post* ran the story on the front page, network news covered it, and Jay Leno talked about it on the *Tonight Show*. The *Washington Post* wrote a fawning profile a month later, claiming that Kessler "seems to want to be effective, not visible, to be a strategist, not a self promoter."

Kessler's relations with the press are easy to follow: He punishes those who are critical of the agency by shunning their interview requests, while rewarding reporters he likes with access, leaks, and in one instance a job. Herbert Burkholz wrote a 5,300-word paean to Kessler for the *New York Times Magazine* in June 1991, which concluded with the words: "Can any one person really turn the FDA around? Listening to Kessler, it is easy to believe that if anyone can do it, he can." Three years later, Burkholz wrote a pro-Kessler book. Today, he is employed by the FDA as a Kessler speechwriter.

What happens when someone has the temerity to publicly criticize the FDA? When Carl Feldbaum, president of the Biotechnology Industry Organization, wrote in the *Washington Post* last year about the FDA's slow drug-approval rate, at least three companies belonging to the organization were called by FDA employees with explicit instructions to have the organization back off its calls for reform. But none of the companies wanted its name publicized, fearing retaliation. Indeed, nearly every individual I spoke with who had business before the agency refused to speak for the record, saying he feared swift and severe reprisals for comments critical of Kessler or the FDA.

Kessler's dealings with an ex-staffer, Jim Phillips, underscore his fanatical devotion to good press. After leaving the FDA in July 1994, Phillips went public with some of his gripes in an interview with a trade newsletter. Kessler responded by calling Phillips at home and shouting at him, "I can't believe you would do this to me!" and "I made a mistake in bringing you to the FDA!" Two weeks later, Kessler tried, but failed, to get Phillips to come back to the agency—presumably in order to silence him. Kessler's pursuit of Phillips has continued: Last year, Kessler ordered at least two FDA officials to record and transcribe voicemail messages left by Phillips and had the transcripts of these messages turned over to Joe Barton, with copies sent to two Democratic congressmen, John Dingell and Ron Wyden (now a senator).

What does the future hold for David Kessler? In the short term, he will continue his high-profile offensive against tobacco; his quest to have nicotine declared a drug will bring tobacco under his regulatory thumb. Kessler's longer-term plans will be dictated by what happens in November. Bob Dole has privately promised to fire Kessler if he becomes president, but with Clinton in the White House there's every reason to believe Kessler will stay at the FDA and press on. For David Kessler, an unelected civil servant with no defined term of duty, has come to Washington to save you, and if in the process he harms industry, impedes the release of life-saving drugs and medical equipment, and terrorizes health-care providers and manufacturers, what does he care? He'll always get good press. ♦

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W.C. Fields Was Wrong

Why, Despite Everything, Republicans Should Not Abandon the Arts

By Joseph Epstein

Do the arts, with all their oddity and intricacy, have a peculiar resistance to being discussed in the frame of reference known as policy? Consider a September afternoon in 1939 on which was hatched what the *Times Literary Supplement* of January 2, 1987, dubbed "The Plot to Save the Artists."

A group of civic-minded English men and women are lunching at the home of Sir Ralph Glyn, at Ardington under the northern slopes of the Berkshire Downs. The poet John Betjeman and his wife Penelope are there, and so are Lord and Lady Esher. With the Second World War imminent, the talk turns to the terrible loss of artists, especially of a generation of English poets, in the First World War. Did this have to be repeated in the war about to begin, Lord Esher wonders aloud? Would it not be possible to have people of informed opinion put together a list of those writers, painters, and musicians of military age who ought to be saved and place them, unbeknownst to themselves, in safe military jobs away from the killing fields? Commissioned to look further into the matter by his friends on that afternoon, John Betjeman begins by inviting a small number of people to send him names of artists worthy, in effect, of being saved. The plan is to have recognized authorities then go over these names, subtracting some, adding others, and then present the list to the British war office for approval.

As things get underway in earnest, Betjeman reports to Lord Esher that Geoffrey Grigson, the anthologist and literary critic, "suggests extending the scheme to good young economists, scientists, town planners, etc. who are unprotected by schedules of reserved occupations. What do you think?" The decision on this point is finally to exclude these categories of non-artistic intelligentsia. Architects are also eliminated. Musical performers are included as are composers, but dancers and actors are excluded. Finally, a list of three panels—one for literature, one for visual art, and a smaller one for music—is assembled; and it is these panels who are to choose who among the artists still under 40 are to be saved from the all-too-distinct possibility of death on the battlefield.

Garry Colby

When the list of approved artists, which numbers 61, is finally drawn up, Lord Esher sends it along to Oliver Stanley, secretary of state for war. The government's answer is a courteous but firm denial. Secretary Stanley writes that not only would the claims of science and medicine and scholarship be hard to deny as of equal importance to the nation as those of art but that "the principle of such a form of protection from the dangers of military service is difficult to accept." Lord Esher's plan to save the artists is squelched.

Some might regard the decision to let the English artists face the war unprotected as typically English in its unimaginative bluntness, but behind the decision was the view that no exceptions to the obligation of military service in wartime ought to be made on the basis of any man's putative intrinsic importance to the state. Yet as Lionel Esher, the son of Lord Esher and the author of "The Plot to Save the Artists," says at the close of his article: "Whatever one may think of the arguments from principle, in practice the plot would have failed even if it had succeeded."

First, none of the artists who would make the greatest contributions to English culture after World War II—from the novelists Kingsley Amis and Anthony Powell to the poet Philip Larkin, the painter Lucien Freud, and the sculptor Lynn Chadwick—were on the list composed by Lord Esher and his friends. Second, not a single one of those named on the list was killed in the war; of the three men on the

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list who did die during this period, all met their ends through accidents. So the plan to save the artists was not only a practical failure but a practical irrelevancy into the bargain. The point is how difficult it is to predict the course of art ten or even five years away. And how even the most well-intentioned government arts policy—which is what Esher's plot would have been—might not contribute a thing to art itself. But the impulse to protect art, and to protect its creators, is not only understandable, it speaks to a deep human need to play a part in the transmission of culture.

II

If any arts policy may be said to exist in the United States at the moment it is that represented by what remains of the National Endowment for the Arts, and it isn't much. Conservatives believe the effort to have been a fiscal, constitutional, ethical, and moral disaster, and they are right. Many people, I think, take some pleasure at the whacking good "downsizing" this federal agency has received at the hands of a Republican Congress. From its beginning with a relatively small but always gradually increasing budget, reaching a high point of roughly $176 million in the late 1980s, it is now reduced to $99.5 million, a decrease of more than 40 percent.

The present arrangement, if I understand it correctly, is that this $99.5 million will be appropriated for the next two years in anticipation of the endowment's subsequent liquidation in 1998. At that time, the United States government will be without any arts policy at all. In recognition of this fact, and given the rather squalid behavior of the NEA, this may well come as jolly good news to many people. "The hell with the arts" is a sentiment many sensible people have felt over the past 10 or 15 years when witnessing the great shambles that many artists and the NEA, under both Republican and Democratic administrations, have made of public money and the arts.

In fact, "the hell with the arts" seems to be a sentiment of longer standing than the NEA, for in the United States public support for the arts has never been enshrined in quite the way it has been in Europe, first by extensive private patronage and later by governments. Alone among all developed nations, America has never had a ministry of culture, or of the arts, or even of the national heritage.

In an interesting and useful paper on the subject of public support for art in America, the University of Chicago historian Neil Harris has traced the development of such support and speculates on the reasons for its relative paucity. Harris mentions but does not overemphasize the traditional explanation of the Puritan mistrust of visual art, music, theater, and elaborate architecture that was part of the nation's founding. He avers that our country was born "in a fit of reaction against concentrations of power and consumption" such as the great patrons of the arts—the crowned heads of post-Renaissance Europe and the Catholic and Anglican churches—had laid on whenever it suited their purposes to do so. "A sense of government as small, decentralized, non-interfering, non-controlling, deliberately avoiding the traditional props of wealth and artistic greatness," Harris writes in summarizing the early years of the Republic, "this was part of the republicanism that dominated America in the age of Jefferson and Jackson."

IN THE PAST FEW DECADES, THE ARTS HAVE BEEN GREATLY PUFFED UP BY THEIR PROFESSIONAL SUPPORTERS' OWN SENSE OF IMPORTANCE.

The only two major institutions supported by public funds in the United States before the Civil War were the Library of Congress and the Smithsonian Institution, the latter established by the legacy of an Englishman impressed by American society. During these years, the best attended museum in America was P. T. Barnum's American Museum, with its famous sign for getting people out of the building: "This Way to the Egress." Meanwhile, privately financed art museums and symphonic groups in America tended to be economic flops. "A bewildering variety of financial arrangements underwrote arts organizations," Harris tells us, "but what they had in common was that almost no public monies were invested in them."

The entering wedge for public support for art in the nineteenth century was architecture. The Capitol building was among the first of the structures paid for with public money. Then there was the need to decorate them with paintings and sculptures of such historical events as the signing of the Declaration of Independence and of military and political heroes, and federal money was found for this, too. But otherwise even public libraries were still rare, and the prospect of using public money to support individual artists quite unthinkable.

Art and high culture in America were thought to be the responsibility of the rich, if not always the refined. Many of the great museums, symphony orchestras, and private universities were founded in the 1870s through the 1890s by, among others, the badly misnamed Robber Barons. They ought at least

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to be renamed the Benevolent Robber Barons, for their gifts were the making of many crucial cultural institutions. Such institutions became central to the development of large and even middling cities; private donors began the work, though often with the aid of local governments, which provided the gift of land, the promise of maintenance budgets, and sometimes help with construction to house these institutions. Yet, according to Harris, these institutions were still primarily and preponderantly private at their core and in their character.

World War I internationalized America and Americans, and the arts began to make a federal showing. American actors and singers were called in to sell bonds and, with their art, help fight the beastly Hun. After the war and up through the New Deal, the government, as Harris points out, now felt it incumbent on itself to pay for American exhibits—some of them strongly artistic in character—in world's fairs and exhibitions.

But with the Depression, really with the New Deal, government went into the arts in a big-time way. The WPA employed thousands of artists: architects, painters, sculptors, writers. "Art for the Millions" became its slogan. Harris notes that at the time of the New Deal the United States was spending 10 times more than France in support of artists and art.

World War II put an end to the WPA and with it, temporarily, to support for artists. During the war, firms such as Walt Disney, Inc., applied their art for perfectly sound propaganda purposes. But it was the Cold War, interestingly, that gave government support for the arts a considerable push. Harris says that "more than any other single experience," the Cold War "propelled forward federal support" for art. Suddenly artists and intellectuals were sent by their government to perform and participate in conferences overseas—and in doing so to show the vibrancy of art and intellect under democracy and free enterprise. But if government could support art for export, why not also support it at home? Large private foundations had begun to support the arts in a serious way as well, and this rather softened up people for the notion that governments ought to do likewise. The Kennedy administration—Camelot and all that—gave an added push to the notion that a great country is a country with great art. The next, what must have seemed natural, step was that a great country was

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responsible for doing all it could actually to help produce such art.

The ground was set for the establishment of the National Endowment for the Arts, which was brought into legal being in 1965, during the Johnson administration. This was accomplished largely through the efforts of an extraordinarily energetic woman named Nancy Hanks, who could play congressmen no less well than Pablo Casals could play Bach.

The establishment of the NEA was the crucial event in institutionalizing federal support for art. The official justifications for the NEA, as for public support of the arts generally, have been of various kinds. One holds that public support protects art from the vulgarizing corruption of the marketplace. Another holds that some arts—modern musical composition, poetry, experimental theater, dance, and new avant-garde forms generally—simply cannot withstand the pressures of the market. Yet another holds that there exists, artistically, a geographical inequity in the country, and that the federal government can aid enormously in bringing live art to those places where it would otherwise be inaccessible, rural areas and backwaters chief among them. Still another holds that, as a great superpower, our government has an obligation to support our arts, at least to the extent that such lesser powers as England, France, and Germany support theirs. None of these justifications would seem altogether foolish. Why, then, has the country become so divided on this question of public support for art?

The answer, it seems to me, is that the discrepancy between appearance and reality, between pretension and performance, grew grotesquely large. In the past few decades, the arts have been greatly puffed up by their professional supporters' own sense of importance; they have badly misunderstood the arts and have vastly overstated their claims on the arts' behalf. Chief among these claims is that there is no such thing, really, as bad art; that art is best when it challenges one's values; that art ought to be judged and supported in a democratic, which in their view means a multicultural, way. In support of this cause, the various arts organizations and lobbyists, the NEA, and the so-called arts community all shut down any discriminatory powers they might have had on behalf of what they thought the greater cause. In chorus, they all announced that art, no matter how crappy, was still art, and anyone who is against art in any form—no matter how mediocre, offensive,

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even loathsome it might be—is a philistine and a creep.

A high degree of personal insult has been in the air when it comes to this subject. Feelings ran very high—as they tend to do in all the skirmishes attendant upon our culture wars—and on both sides. The culture wars, in fact, have all the over-heated feel of a religious war, and, at bottom, it turns out that something fairly close to religion—and not fundamentalist Christian religion alone—is at stake.

III

In *Living in Paris*, a cultural history of opera, James H. Johnson writes: "Ever since romanticism made a religion of art and raised worship to a social virtue, it's not always been possible to tell true belief from mere fascination with the sacraments." That sums up my own six-year experience as a member of the National Council of the National Endowment for the Arts. I spent some extraordinary days sitting in the Old Post Office Building on Pennsylvania Avenue, the smell of cookies and fast food wafting into the room, listening to talk of the arts for three days running. I used to liken those three-day weekends on the National Council of the NEA to attending strictly chaperoned sexological conferences in which one does nothing but talk about sex for three days and two nights but is not permitted at any time to engage in any. Very tiresome and frustrating weekends they were.

An impressive number of foolish and virtuecratic statements were made in that often overheated but usually intellectually undernourished room. Once, a group of visual artists came by to outline a project they had in the works, and which would soon be coming up for funding, for bringing contemporary painting to patients in terminal cancer wards. The final days of disease-shortened lives, we were to understand, would be made both lighter and more profound by their engagement with contemporary painting. I happened that afternoon to be sitting next to the late Samuel Lipman, the pianist and music critic, who must have seen my eyebrows fly up four or five inches above my hairline as I listened to this astounding proposal to intrude rather alien and doubtless third-rate art into the lives of very ill people. "God," said Lipman, who did not use profanity often, "I loathe this shit."

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On another occasion, an endowment staff member reported on plans for an art-in-prisons program then in the works. In one of those caring-sharing, touchy-feely voices dripping with self-virtue, she laid out how useful art would be in raising the quality of prison life. The role of art in the rehabilitation of prisoners was not mentioned but of course implied. In my happy role at the NEA as self-appointed opposition, I felt I had to ask whether the plan included bringing art to death row. "Of course," she replied, my monstrous insensitivity confirmed by my very need to ask such a question. "Of course, why wouldn't we?"

In both of these anecdotes, one senses that art is being asked to do what religion was once supposed to do: raise the tone of daily life, reform character, bring consolation as death approaches. Some art can do such things, but the kind of NEA-sponsored art that got the most publicity was far from likely to fill the bill. It was what I have come to think of as in-your-face art, the very art that earned infamy for the NEA and set it on the course to possible oblivion. The NEA came to stand for the exhibit of the sado-masochistic photographs of Robert Mapplethorpe and the "Piss Christ" photograph (of a crucifix in a bottle of urine) of Andres Serrano. Later, under NEA sponsorship, a man in Minneapolis would send driblets of his own HIV-positive blood on paper towels on a wire out over an audience. Performance artists covered themselves in chocolate and mocked middle-class life to the titillation of their audiences. And some quite talentless poet would write a poem justifying the rape and vicious beating of a young woman jogging in Central Park.

More than the bourgeoisie ought to have felt itself *épaté* by all this; artists above all ought to have been enraged by such junky stuff being passed off as serious art. Instead most artists and the NEA itself decided to defend it on the grounds that this was art in the great tradition of the avant-garde—even though the NEA also insisted that such grants represented only a minuscule portion of the grants it gave out. This was a fatal mistake. As the author of a letter to Phi Beta Kappa's newsletter, the *Key Reporter*, wrote in response to a platitude-swapping exchange on federal funding in the arts, "The problem with the NEA and its supporters is that they fail to realize the extent of the visceral disgust

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and anger most Americans feel as a result of a very few examples of NEA funding."

"Everything changes," said Paul Valéry, "but the avant-garde." Behind this amusing aphorism is the notion that the avant-garde lives in a perpetual state of agitated discontent with the status quo in all of its forms, that its very existence is coterminous with change, that change is its only genuine reason for being. But whereas the avant-garde of the late nineteenth and early twentieth centuries—the avant-garde of Diaghilev and Igor Stravinsky, of James Joyce and T. S. Eliot, of Picasso and Matisse—was dedicated to changing the way people viewed the world through changes in artistic technique, the avant-garde of our day is dedicated to changing the way people view the world through imposing its own politics on them. The avant-garde of our day tends to be pro-sexual liberationist, anti-religious (in the conventional sense), and often directed against high art itself.

The NEA would have done better if it had acknowledged that, given the way federal money was handed out, it had less than perfect control over occasional outbreaks of aberrant art—just as farm and Small Business Administration and other programs were not absolutely free of the corruption of brilliant hustlers. Instead the NEA decided to defend Mapplethorpe, Serrano, & Co., not quite in and for themselves—a tough case to make—but through what I would call the old avant-garde blackmail ploy.

The way the avant-garde ploy works is as follows: People (rather stodgy and stupid people, of course) have always been upset by great avant-garde art. There were those ignorant dolts who broke the chairs at the première of Stravinsky's *Rite of Spring*, those poor wretches who attempted to scratch the paint off the paintings of Matisse at their first public exhibition, those insensate idiots who wished to censor *Ulysses*. They were all shown to be fools, as we now know, fools well behind their times and now fools for eternity. Think about that before you condemn Mapplethorpe, Serrano, & Co. today. History will probably judge you quite as foolish. So suppress your instincts, listen to your betters. It's art, dummy, and you are out of your water, so just take it and shut up.

The debate about federal policy in the arts, then, was confrontational in a particularly destructive way. As each side viewed the other, it was the philistine rednecks versus the deviant monsters. Most conservatives, forced to choose, came down on the side of the philistines, most liberals on the side of the monsters. Not only did this make for fairly low-level discussion, but when the Republicans won the Congress, it was fated that the NEA would be quite brutally dealt with. My own sense is that, in their own dull-witted, self-congratulatory way, the officials and staff of the NEA were asking for it—and, when the time came, the Republican congressional tumbrel came out to collect them.

AS EACH SIDE IN THE FEDERAL ARTS DEBATE VIEWED THE OTHER, IT WAS THE PHILISTINE REDNECKS VERSUS THE DEVIANT MONSTERS.

Those of us not taken in by the avant-garde blackmail ploy, and tired of the prattle about art's importance in challenging everyone's values but those of the arts community itself, began to feel about the NEA the way W. C. Fields, in what are reported to be his deathbed words, felt about the newsboys in the streets of New York in winter. Fields was in a hospital bed, his physician, agent, and mistress seated on chairs nearby, when he heard newsboys calling out on the street: "Wuxtry! Wuxtry! Stock Market Prices Fall." He called his physician, agent, and mistress to his bedside. "Poor little urchins out there," he announced. "Undernourished, no doubt ill-clad. Something's got to be done about them, something's got to be done." Fields then closed his eyes. But 20 or so seconds later, he reopened them and again signaled his physician, agent, and mistress to his bedside. "On second thought," he said, "screw 'em."

The poor behavior of the NEA under pressure—after its pathetic public pronouncements about art being good for us, good for the economy, good for tourism, good for everything, really, but in and of itself—not only turned most of us off public support for the arts but also, on the subject of the NEA, turned us into positive W. C. Fieldsians.

IV

And yet I wonder if being a Fieldsian is the only possible view. Conservatives who support the killing of the endowment assume that the free hand of the market will shake things out and take care of everything. But will it? (How many University of Chicago economists does it take to change a light bulb? None, the answer is, the bulb will change itself when the market directs it to do so.) The market and the arts have never had all that tranquil a relationship. The commerce between culture and capitalism is an exceedingly complex one.

In recent decades, strange market forces have sent the prices of

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quite junky visual art through the ceiling. In the movies, it is almost an axiom that the more money is spent on a film, the less good it is likely to be, the infusion of vast sums all but requiring a cautiousness that leads to leaden mediocrity. We all know the effect that so-called blockbuster book publishing, aimed at creating vast bestsellers, has had on publishing merely good books; it has tended for the most part to submerge them. A few months ago I read in the *New York Times* that a good many talented theatrical directors have begun searching for—and finding— work in television, because they discover themselves, in their mid-forties or early fifties, making no more than $20,000 a year working at small theaters off-Broadway or outside New York, and one simply cannot hope to raise a family on so low a salary.

And there is reason to believe that the audience of the more serious performing arts—chamber and symphonic music, legitimate theater, ballet—is changing in a way that threatens their ability to find the private patronage on which they have long depended. Over the long haul, neither government nor the market has ever been alone in supporting the arts. The patronage of the wealthy has always been a crucial element.

I have for the most part been talking about "the arts." That is a collective plural which doesn't bear much scrutiny, so different are the arts individually and so different is their contemporary condition one from the other. And so differently, too, have they been affected by the diminution of federal funds. Many of these arts are well off without federal support or even the support, in my view, of the parents of the artists working away at them. I'm thinking of such advanced banalities as performance art, mixed-media art, and other avant-garde ventures that have been increasingly political in their tendency. If they wish to be cutting-edge, then let them pay for their own scissors. (The spirit of such art and its dependence on public support was nicely caught by a *New Yorker* cartoon last year in which one scraggly bohemian modern painter says to another: "I wish I had the funding to really say something.")

There are other arts—literature chief among them—where public support has always been unsteady and maybe dubious to begin with, and where such support has had no powerful effect in any case. Literature has almost no support from the private sector apart from the buying of books, yet it has often thrived under even the most difficult circumstances: One thinks of the great efflorescence of the novel in nineteenth-century Russia.

The arts that seem most in danger are those that are most directly in the winds of the market. Ruth Berenson, a former NEA official and one of the endowment's few impressive staffers, recently did a survey to determine which of the arts were most likely to be endangered by the cutback, or cut-off, of federal funds. It is worth attending to.

Some of the arts Berenson found in quite good fettle. Jazz, for one, she found in healthy condition, with festivals thriving and lots of young performers coming to the fore. Non-profit theaters, which underwent considerable growth in number over the past 30 years, are also in fairly decent shape. They have been supported mainly by individuals and local businesses, though they are under the strain of ever-rising union prices for stagehands, lighting people, and other technical workers. Berenson cites the ways in which these theaters might be constrained without federal money: Having to raise their ticket prices might force them into dumbing down their fare to attract the kind of crowds that higher prices may entail—more Neil Simon, less Chekhov.

Opera, Berenson finds, is not in peril. It draws good crowds, has been enlivened by new work, is supported locally by wealthy patrons, and is dominated by superstar performers in a way that hasn't yet shown itself to be inimical.

But when it comes to dance, Berenson notes simply, "big trouble." Even the most famous dance companies have been on the edge of bankruptcy for years, and some have gone over that edge. Unlike the New York City Ballet, most companies—the Alvin Ailey, the Dance Theater of Harlem, the American Ballet Theater—do not have permanent homes and thus do not qualify for local and state support. The expenses of running a dance company—hiring dancers, sometimes employing an orchestra, stage, and technical crew—are very high. Dancers, if they are lucky, work a 26-week year and have to find other work for the remainder of the year. Dancing is the most arduous of the arts, dancers the most injury-prone of performers, yet very few dance companies can afford health insurance for their dancers. Having one's own company—as Balanchine, Martha Graham, and others have had—is immensely useful in helping a manager-choreographer work out his or her ideas. The loss of federal funds will hurt dance quite badly.

Most troubling, Berenson thinks that classical music "could be an endangered species." Many smaller cities that began symphony orchestras in the 1950s and 60s are having to pack it in owing to high expenses. Survivors play things close to the chest, sticking to the old repertoire: Beethoven, Mozart, Tchaikovsky. She reports that chamber-music groups are attaching themselves to universities where possible, and with some success. But she then goes on to say

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that behind "classical music's decline is that music teaching in the public schools has become as obsolete as McGuffey Readers."

This is just the spot to go into a tirade about the younger generation, about the ravaging effects of television on the minds of people now in their twenties, thirties, and forties, about the MTV-icization of American culture. Please assume I have just finished doing so, and allow me to go on to cite the recent work of demographers that holds that younger generations of Americans have lesser interest in those arts usually described as "highbrow," and the wealthy among them are giving less to cultural institutions, than their elders have. According to a Treasury Department study, while America has produced a record number of millionaires—64,500 households reported pre-tax income of more than $1 million in 1990 against 18,700 in 1979—the newly wealthy are proving far less philanthropic than their predecessors. All of this, according to the sociologist Judith Cobb, who has been studying arts audiences, "reflects a decline in the notion of stewardship, of civic culture itself."

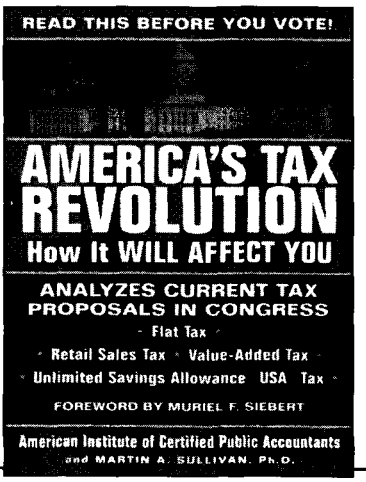
V

On second thought, screw 'em. Do we, I wonder, really want to say that about public support for the arts? And who is "'em" anyway? If "'em" are the kind of people who set policy for the NEA, perhaps we do indeed want to say it. But what if "'em" are the arts themselves—the highbrow, serious, yes, all but eternal arts? Ought we to stand by and let the institutions and custodians and purveyors of these arts go down the tubes if they cannot survive under free-market conditions and private patrons are not there to take up the increased—and increasing—slack?

My own reaction is to reply, with some trepidation, I don't think so. My trepidation derives from my awareness that it is difficult in the extreme for government to put its thick-fingered hands on anything so delicate as art without badly mishandling it. Who needs another NEA, giving way to every passing artistic fashion and political influence, so that in the end it is supporting good things and junk alike with a fine indifference to the distinctions between the two? The question is ultimately whether government has the subtlety to make such distinctions in the first place. The NEA, some might say, has decisively proven that it hasn't. And yet ought it to be allowed to supply the final word on so complicated a matter?

I have a small and perhaps parochial dream, and it is about the Republican party, for whose candidates I have been voting with increasing frequency in recent years. It is that Republicans cease to be identified as the party of ungenerous solutions to complex problems, that they not be happy with their reputation as the party of the philistines, that Republicans become known as the party to take culture at its best with the seriousness that it deserves.

The first step toward doing so is to recognize that the arts represent elitism of a kind that America ought to find useful if it is to continue to have a sense of its own progress as a superior country. The arts are nothing if not an elitist enterprise, but they are elitist in the best American sense. They represent elitism detached from social class and privilege; they represent democratic elitism. Artists only rarely come from the upper-classes, after all; and for the most part so do serious audiences for art. Both the creation and the intelligent love of art are based on discipline, the cultivation of curiosity and sensibility,



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and the belief that men and women are capable of spiritual exaltation. There is nothing in the support of any of this that ought to make any earnest Republican blanch.

It is much easier, of course, to walk away from it all; and in their minds it may well be that most Republicans in positions of power have already done so, having said, in effect, about devising a policy for the arts, *On first thought, screw 'em.* But if we are seeking an answer to the question, "Who Needs An Arts Policy?" I think the arts themselves do, the country probably does, and maybe, just maybe, conservatives do, too. ♦

Books

SHLOCK OF RECOGNITION

By J. Bottum

The problem is they write too well, our literary boys. There's hardly a novelist now alive whose schooled prose cannot paint in sharp detail almost anything you'd care to name: a catastrophic train wreck, the death of a giant redwood tree, the way the tone-arm on an old Philco hi-fi would quiver just before it settled on the spinning 33.3. Without being witty, they know what humor looks like on the page; without being wise, they know what shape an insight has. Though their shared culture seems limited to 1970s politics, 1960s pop music, and the batting lineups of the 1950s Yankees, they know how to work up other topics for one another. They know how to handle a gangster's strongest curses and they know how to capture a prima donna's lightest mood. They have a literary instrument ready to say almost anything. And they have almost nothing ready to say with it.

Our age, in other words, is an age of the literary academy, and it has all the virtues and all the vices Matthew Arnold promised when he urged English literature to build itself a counterpart to the *Académie Française*. Its virtues are a teachable consensus about what constitutes good writing and a single-minded, unsmiling concentration on the *art* of it all. Its vices are harder to describe precisely: a certain ennui that infects all highly stylized human activities, a prose that takes the form of revelation more often than it actually reveals anything. But if we had to give our literary age a name—a slogan and a title with which to pose it against all other literary ages—we could do far worse than dub it "Richard Ford" and remark that its latest work, *Independence Day*, just became the first novel to win both the Pulitzer prize and the prestigious PEN/Faulkner award.

At first blush, it's hard to see why, even in the Age of Ford, *Independence Day* should have won any thing besides the quick trip to the remainder bin that is the fate of most self-consciously fine writing. The novelist has never given much bounce to either his characters or his plots. A typical Ford tale is a sort of anti-picaresque ramble in which a man takes a short and boring trip for some poorly analyzed but usually mundane reason. Along the way, he has dozens of deep insights about cigarette lighters, suburban lawns, and the strangeness of ex-wives. Then something bad happens, usually something really bad, and the story ends with a last hopeful insight into the capacity of men with rich interior monologues to face a world in which really bad things happen. Though *Independence Day* (Vintage, 451 pages, $13 paper) follows this Fordian pattern, it has an even duller setting and an even more uneventful plot than *The Sportswriter* (the widely praised 1986 novel to which it forms a sequel) or the 1980s *Esquire* and *Granta* magazine stories with which Ford made his reputation.

Nonetheless, with the exceptions of Barbara Ehrenreich in the *New Republic* and David Myers in *Commentary*, the reviewers in the major newspapers and journals seemed almost in a contest to see who could cheer the loudest when the novel appeared last year, and the major prize committees have now joined in the wild chorus of acclaim. Part of the explanation may be that Ford is a writer who has paid his dues. He has attended the right college writing programs, he has written the right remaindered books, and, most important, he has had the right sort of easily definable career: first helping to found (with fellow "dirty realists" Tobias Wolff and Raymond Carver) an identifiable literary school and then, with *The Sportswriter*, "growing beyond" it.

The larger explanation for the success of *Independence Day*, however, may lie precisely in the unswerving dullness of the novel's New Jersey Turnpike setting and New Jersey realtor's plot—for this is Fordism filtered down to its essence, purified of any contaminating dramatic scenery or incident. Set over the Fourth of July in 1988, just as the Dukakis campaign against Bush begins to melt, the novel recounts a few days in the

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purportedly all-American life of the middle-aged Frank Bascombe, ex-storywriter, ex-sportswriter, and ex-husband, now selling real estate in the Jersey suburbs. Frank hopes to get away for the weekend, taking his disturbed 14-year-old boy on a father-and-son trip up north to the basketball and baseball halls of fame in Springfield and Cooperstown. But first he's got some things to do—like locking up the office and starting his car and stopping his car and picking up the dry cleaning and starting his car again—to which the reader is treated in painterly detail while Frank's interior monologue provides a running commentary.

After the death of another son and the divorce that set the background to *The Sportswriter*, Frank in *Independence Day* has entered what he calls his "Existence Period." This seems intended to mean that he lives his life like a bit part in a movie, keeping his emotional distance from other people and playing his role with a constant and self-conscious detachment. But, good trouper that he is, he also seems to take pride in performing his life well, and there emerges in the novel Ford's apparent belief in a perverse simulacrum of responsibility—as though what really keep middle-class men to their appointed middle-class duties are a bit-player's ironic professionalism and knowledge that the show must go on.

Before he can head north, then, Frank must perform his ironically assumed responsibilities: convincing an obnoxious (and underfinanced) yuppie couple from Vermont to buy the house he has found for them, touching base with his partner at the root-beer stand, collecting the rent at his tenement, and breaking up with his girlfriend. Though these are clearly intended to be the novel's major events, none of them is developed with any greater energy than anything else in Frank's life. Indeed, the texture of detail and commentary for everything in the novel is so consistently rich that it is not humanly possible for Ford to deepen his descriptions even when he wants to. These main events primarily serve to give Frank audiences and topics other than himself for his moralizing reflections.

Frank's moralizing is so insistent, so ceaselessly observant, so chronically insightful, that it's a wonder the other characters in the novel don't bludgeon him to death. His girlfriend does finally kick him out, but only Frank's son manages to take the right line. After what seems like hours spent listening to Frank's wisdom on how to hit the pitches from a mechanical pitching machine at baseball's hall of fame, the boy at last—and here comes the really bad event mandatory in any Ford tale—steps in front of a 70-mph fastball (probably in the vain hope of escaping any more of his father's ruminations about billboards, baseball, and boyhood) and gets plonked straight in the eye. True to form, after his ex-wife shows up at the hospital and takes charge of the mess, the novel ends with Frank's Whitmanesque reflections on democracy, the Fourth of July, and how wonderful it is to share his insights with everyone: "I feel the push, pull, the weave and sway of others." *Independence Day* is the work everybody who ever went to writing school hungers to produce: a novel so relentlessly fine, it's actually bad.

And yet, there is more to the book's success than writing-school fever. It is due in part to Ford's pandering to the old notion that you can have a middle-class life, with all its comfortable safety, and yet maintain a superiority to it, if only you declare a rueful irony about your loss of ideals and con-

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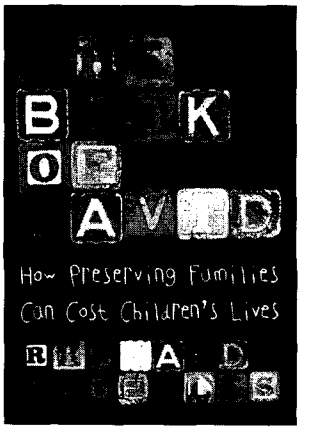

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tinue to vote for the Democrats: "Holding the line on the life we promised ourselves in the 60s is getting hard as hell," Frank ruefully sighs as drives along with his *Lick Bush* bumper sticker. But it is due in greater part to something newer, something that has changed since the days of Updike and Cheever and the other spielers of suburban angst.

No one since Immanuel Kant has had as many insights as Ford's Frank Bascombe seems to have. "Though it's true," Frank declares in a typical passage, "that sometimes in the glide, when worries and contingencies are floating off, I sense myself am afloat and cannot always touch the sides of where I am, nor know what to expect. So that to the musical question 'What's it all about, Alfie?' I'm not sure I know the answer."

This has the shape of self-revelation, the form of a Socratic intuition, but under any close examination it comes apart like tissue paper and all that remains is the fillip of the ironic reference to a 1960s movie theme song. On nearly every page of *Independence Day*, what does the work of thought is recognition. Or perhaps we should call it the shlock of recognition, since the only things Ford trusts his readers to know are old pop culture and the odds and ends of franchised suburban life: the color of an M&M's package and the shape of a Jiffy Lube logo. In the Age of Richard Ford, we discover that the sheer junk we already know is endlessly fascinating just because we already know it and we, of course, are fascinating. Who wouldn't give prizes by the bushel for the sake of learning that? ♦

Sports

72 Wins? Big Deal.

By Robert D. Novak

On Sunday afternoon, April 21, I watched the Chicago Bulls mop up the meaningless season finale against the Washington Bullets, collecting their 72nd victory in the process. No team in the National Basketball Association had won as many as 70 games before—thus suggesting to many that the 1996 Bulls are the greatest professional basketball team of all time. I think that is nonsense.

What credentials does a political columnist have in making such an evaluation? Only those that come from watching pro basketball for more than 50 years and suffering as a Bullets season-ticket holder for two decades (which has proved an exercise in character-building for the past 10 years).

The 72 wins can be attributed in no small part to an NBA whose talent has been terribly diluted by expansion—a league that includes at least four teams that can be described as "dogs" and many more of only marginal quality. This made possible the 72 wins.

But the twelve players who make up the '96 Bulls have not even won their first championship together, much less established themselves as a team for the ages. The Bulls who won three championships straight from 1991 to 1993 featured only two of the same players as the '96 squad (and the same coach).

Now, there is no question that Bulls forward Michael Jordan *is* the best professional basketball player ever, with no close second. He has surpassed my previous choice, Oscar Robertson, for the simple reason that Jordan can do something the Big O could not: He can carry a team on his shoulders, a task usually reserved for centers.

But no one-man team can be called great, which becomes apparent for the Bulls on those rare nights when Jordan shows he is only human after all. The team's only other offensive star, forward Scottie Pippen, represents a considerable drop-off in talent. Guard Ron Harper is a streaky player who never regained his offensive mastery after serious knee surgery. The team has not one center but four, and the best of them is only modestly talented.

The most intriguing Bull is the fifth starter, forward Dennis Rodman, he of the kaleidoscopic hair and bizarre behavior. Rodman fascinates not because of his cross-dressing and past dalliance with Madonna but because of his brilliant defense and otherworldly rebounding. He has helped put the Bulls among the all-time top defensive teams and has made it by far the best now playing. But he is problematic on offense; only his offensive rebounding prevents him from being an actual liability.

So if the Bulls are not the greatest team—and even Jordan says they cannot yet be placed in the same category as the "three-peat" Bulls he led in '91, '92 and '93—what team is?

I am tempted to go back to the prehistoric—that is, pre-NBA—days of professional basketball when as a small boy in Chicago I saw the National Basketball League. Chicago had one of the few big-city franchises in the NBL, and because of that I was privileged to see a truly wondrous team from

Robert D. Novak last wrote for The Weekly Standard *about James Stewart's book* Blood Sport.

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Fort Wayne, Ind., called the Zollner Pistons (forerunner of today's Detroit Pistons). Their key was player-coach Bobby McDermott, who bombarded the hoop with outside shots so far away that today they would routinely be worth three points instead of two.

When World War II ended, McDermott moved over to the Chicago American Gears. There he joined the great center George Mikan (picked by the Associated Press as the player of the first half of the century). Mikan left the Gears to join the Minneapolis Lakers, the first powerhouse of the new National Basketball Association. Mikan was joined by all-star forwards Jim Pollard and Vern Mikkelsen and point guard Slater Martin, and together they won five out of six NBA championships between 1949 and 1954.

But none of these teams can be called great because of a fatal failing. They all were lily-white. The Lakers were played to a standstill in wonderful "exhibition" games by the much shorter, much quicker Harlem Globetrotters, not yet exclusively the traveling clown show they became later. Years before the Lakers-Globetrotters games, there was the 1942 "professional championship" sponsored by the Chicago *Herald-American*, which brought together eastern teams with midwestern NBL members and produced the closest thing to a national titleholder in those days. The winner in 1942 was a traveling team of African-Americans calling themselves the Washington, D.C. Bears. (Pretty much the same players played under the better-known name of the New York Renaissance, or Rens.)

The first biracial team to qualify for all-time honors was the Boston Celtics, when it brought together the great white ball-handler Bob Cousy with the great black center Bill Russell. Russell's defensive play transformed the game. Starting in 1959, the Celts won eight straight championships, aided from 1963 onward by the unquenchable energy of forward John Havlicek.

The team that broke the Celtics' streak in 1967 was another contender for best-ever efforts: the Philadelphia 76ers, who won a record 68 regular-season games that year. That team included Chet Walker, Hal Greer, and Bill "The Kangaroo Kid" Cunningham, but the 76ers really rode the back of the greatest basketball center of all time: Wilt Chamberlain. That record lasted just five years, because in 1972 the Los Angeles Lakers won 69 games thanks in part to—yes, he had moved West—Wilt Chamberlain. But the real focal point of that Lakers team was all-star guard Jerry West. New Yorkers may talk about the gritty Knicks championship teams of '70 and '73, but they are just not in the same class.

The best years came between 1980 and 1988 when a fierce competition between the Celtics and Lakers led to the teams' alternating championships (a very good Philadelphia team won in '83). The Celtics won in 1981, 1984, and 1986 behind Larry Bird—and while the 1984 team did not win anything close to 72 games, the masterful play that year of Bird, center Robert Parish, forward Kevin McHale, and guard Dennis Johnson makes them my candidate for second-greatest NBA team.

And the very best? Once Magic Johnson joined Kareem Abdul-Jabbar on the Lakers for their 1980 championship team, the Lakers took titles in 1982, 1985, 1987, and 1988. These Laker teams are, I think, the best NBA team of all time. While I'd root for Michael Jordan and the 1996 Bulls, I don't think they would have a prayer against Magic, Kareem, and company. ♦

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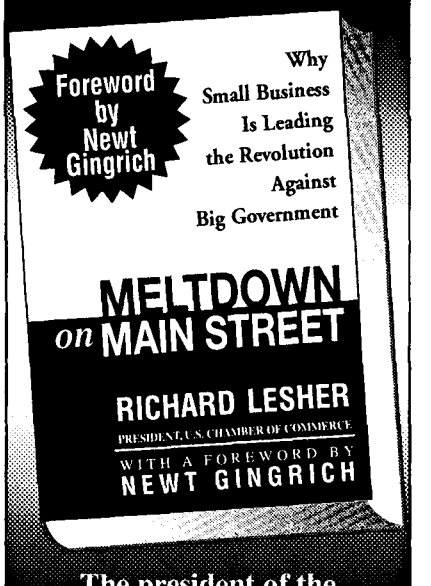

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